

3/2/99

Adopted

TOWN OF RIVERHEAD

Resolution # 200**ACCEPTS S.C.N.B. IRREVOCABLE LETTER OF CREDIT OF SCHEMBRI ENTERPRISES, LLC – "COUNTRY VUE ESTATES" (ROAD AND DRAINAGE IMPROVEMENTS)**COUNCILMAN CARDINALE offered the following resolution, was seconded byCOUNCILMAN KENT :

WHEREAS, by resolution adopted on January 29, 1998, the Riverhead Planning Board conditionally approved the subdivision known as the "Map of Country Vue Estates" with one of the conditions of final approval being the submission and filing of a performance bond or other acceptable form of performance security in the amount of \$209,000.00 covering road and drainage improvements within said subdivision; and

WHEREAS, Schembri Enterprises LLC had submitted to the Town an irrevocable letter of credit drawn by Suffolk County National Bank, Letter of Credit No. 980224 in the amount of \$209,000.00; and

WHEREAS, by resolution dated February 5, 1999, the Riverhead Planning Board recommended the performance bond be reduced to Sixty Nine Thousand Dollars and 00/100 (\$69,000.00); and

WHEREAS, the Town Attorney has reviewed said Irrevocable Letter of Credit and determined that same is satisfactory in its form.

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Riverhead be and hereby accepts Suffolk County National Bank Letter of Credit #990224 covering road and drainage improvements in the aforementioned subdivision in the sum of Sixty Nine Thousand (\$69,000.00) Dollars, a copy of which is annexed hereto; and be it further

RESOLVED, that upon the filing of the S.C.N.B. Irrevocable Letter of Credit No. 990224 in the amount of Sixty Nine Thousand (\$69,000.00) Dollars with the Town Clerk's Office, the Town Clerk be and is hereby directed to return the S.C.N.C. Irrevocable Letter of Credit No. 980224 previously filed; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Schembri Enterprises, LLC, c/o Linda Sullivan, P.O. Box 762, Wading River,

New York, 11792; Suffolk County National Bank, 6 West Second Street, P.O. Box 269, Riverhead, New York, 11901; the Planning Department; the Building Department; the Highway Department; the Town Attorney; Charlene Kagel, Senior Auditor; Kenneth Testa, P.E. and the Office of the Town Attorney.

THE VOTE

Cardinale ☒ Yes ☐ No Kent ☒ Yes ☐ No
 Kwasna ☒ Yes ☐ No Lull ☒ Yes ☐ No
 Vilella ☒ Yes ☐ No

THE RESOLUTION WAS ☒ WAS NOT ☐
 THEREUPON DULY DECLARED ADOPTED

03/02/99

Adopted**TOWN OF RIVERHEAD**Resolution # 201**PROMOTES POLICE OFFICER
TO THE POSITION OF DETECTIVE GRADE III**

COUNCILMAN KENT offered the following
resolution, which was seconded by COUNCILMAN KWASNA

WHEREAS, due to the retirement of an employee in the Police Department a vacancy now exists in the position of Detective Grade III, and

WHEREAS, a recommendation was forwarded by the Chief of Police and to the Town Board Personnel Committee to promote Thomas Lessard to the position of Detective Grade III.

NOW, THEREFORE, BE IT RESOLVED, that effective March 2, 1999, the Town Board hereby promotes Thomas Lessard to the position of Detective Grade III at an annual salary of \$67,692.00 as found in the 1998 PBA Contract, and; and

BE IT FURTHER, RESOLVED, that the Town Clerk be and is hereby authorized to forward a copy of this resolution to Thomas Lessard, the Police Department, and the Office of Accounting

THE VOTE

Cardinale	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Kent	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Kwasna	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Lull	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Vilella	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No			

THE RESOLUTION WAS ☒ WAS NOT ☐

THEREUPON DULY DECLARED ADOPTED

Adopted

3/2/99

TOWN OF RIVERHEAD

Resolution # 203

**AUTHORIZES TOWN CLERK TO POST AND PUBLISH PUBLIC NOTICE FOR
PUBLIC HEARING REGARDING A LOCAL LAW TO CONSIDER THE
AMENDMENT OF CHAPTER 52 ENTITLED, "BUILDING CONSTRUCTION" OF
THE RIVERHEAD TOWN CODE (PRE-CONSTRUCTION FEE)**

COUNCILMAN LULL offered the following resolution,

which was seconded by COUNCILMAN CARDINALE:

RESOLVED, that the Town Clerk be and is hereby authorized to post and publish the attached public notice to consider a local law to consider the amendment to Chapter 52 entitled, "Building Construction" of Riverhead Town Code once in the March 11, 1999 issue of **News Review**, the newspaper hereby designated as the official newspaper for this purpose, and to post same on the signboard in Town Hall; and be it further

RESOLVED, that the Town Clerk shall provide a certified copy of this resolution to the Building Department; the Planning Board and the Planning Department.

THE VOTE

Cardinale	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Kent	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Kwasna	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Lull	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Vilella	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No			

THE RESOLUTION WAS ☒ WAS NOT ☐

THEREUPON DULY DECLARED ADOPTED

**TOWN OF RIVERHEAD
PUBLIC NOTICE**

PLEASE TAKE NOTICE that a public hearing will be held before the Town Board of the Town of Riverhead, in the Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York on the 16th day of March, 1999 at 2:20 o'clock p.m. to consider a local law amending Chapter 52 "Building Construction" of the Riverhead Town Code as follows:

§ 52-10. Building permit fees.

E. Pre-construction fee. If any land clearing or excavation or building or commencement of any construction activity is without the benefit of applicable Town permits, all fees associated with any land clearing or excavation or building or construction activity will be equal to double the otherwise applicable fee for all permits as provided by the Town Code.

Dated: Riverhead, New York
March 2, 1999

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

BARBARA GRATTAN, Town Clerk

3/2/99

Adopted

TOWN OF RIVERHEAD

Resolution # 204**AUTHORIZES TOWN CLERK TO PUBLISH AND POST PUBLIC NOTICE**
RE: CHANGE OF REGULAR TOWN BOARD MEETING TIMECOUNCILMAN CARDINALE offered the following resolution, was seconded byCOUNCILMAN KENT :

RESOLVED, the Town Clerk be and is hereby authorized to publish the attached public notice once in the March 11, 1999 issue of the **News Review**, the newspaper hereby designated as the official newspaper for this purpose, and also to cause a copy of the attached public notice to be posted on the sign board of the Town.

THE VOTECardinale ☒ Yes ☐ No Kent ☒ Yes ☐ NoKwasna ☒ Yes ☐ No Lull ☒ Yes ☐ NoVillella ☒ Yes ☐ NoTHE RESOLUTION WAS ☒ WAS NOT ☐

THEREUPON DULY DECLARED ADOPTED

**TOWN OF RIVERHEAD
PUBLIC NOTICE**

PLEASE TAKE NOTICE that the regular scheduled meeting of the Riverhead Town Board which was scheduled to be on March 16, 1999 at 7:00 p.m. has been changed to March 16, 1999 (same day) at 2:00 p.m. at Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York

Dated: Riverhead, New York
March 2, 1999

**BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD**

BARBARA GRATTAN, Town

3/2/99

Adopted

AUTHORIZES TOWN CLERK TO ADVERTISE FOR BIDS
RIVERHEAD WATER DISTRICT
EXTENSION 52-EDWARDS AVENUE/RIVER ROAD

RESOLUTION NO. 205

COUNCILMAN KENT offered the following resolution which was
seconded by **COUNCILMAN KWASNA**

RESOLVED, that the Town Clerk be and is authorized to publish in the March 11, 1999, edition of the Times Review and post the attached Notice to Bidders with regard to receiving bids for the Extension 52-Edwards Avenue/River Road.

RESOLVED, that the Town Clerk shall forward a certified copy of this resolution to Gary Pendzick, Water District., Richard Ehlers, Frank Isler, and H2M.

THE VOTE

Cardinale	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Kent	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Kwasna	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Lull	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Villella	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No			

THE RESOLUTION WAS ☒ WAS NOT ☐

THEREUPON DULY DECLARED ADOPTED

H2M GROUP

NOTICE TO BIDDERS

The Town Board of Riverhead will receive bids for Installation of Water Mains and Appurtenances for the Riverhead Water District at the Town Clerk's office, Town Hall, 200 Howell Avenue, Riverhead, New York 11901, at 11:05 AM, prevailing time, on Thursday, March 25, 1999, at which time and place all bids will be publicly opened and read for Project No. RDWD 99-51, Extension 52 - Edwards Avenue/River Road.

Contract documents, including drawings and technical specifications, are on file at the following offices:

Town Clerk, Town of Riverhead
Town Hall, 200 Howell Avenue
Riverhead, New York 11901

Holzmacher, McLendon & Murrell, P.C.
575 Broad Hollow Road
Melville, New York 11747

Copies of the contract documents may be obtained at the above locations on or after March 11, 1999, upon deposit of Fifty Dollars (\$50.00) in cash, certified check, bank money order or postal money order, made payable to the TOWN OF RIVERHEAD for each set furnished.

Deposits for Plans and Specifications will be refunded to Bidders who return same in good condition within ten (10) days. Other deposits will either be partially or not refunded if the Plans and Specifications have not been returned in good condition within thirty (30) days after bids have been opened.

Each proposal must be accompanied by a bid bond in the amount of five percent (5%) of the total bid, or a certified check made payable to the TOWN OF RIVERHEAD as assurance that the bid is made in good faith.

The right is reserved to reject any or all bids, to waive any informalities, and to accept the lowest responsible bid.

BY ORDER OF THE TOWN BOARD
TOWN OF RIVERHEAD
SUFFOLK COUNTY, NEW YORK

ACTING AS THE GOVERNING BODY
OF THE RIVERHEAD WATER DISTRICT

BARBARA GRATTAN, TOWN CLERK

DATED: March 11, 1999

3/2/99

Adopted

AUTHORIZES TOWN CLERK TO ADVERTISE FOR BIDS
RIVERHEAD WATER DISTRICT
EXTENSION 55-MARITIME FUNDING GROUP

RESOLUTION NO. 206

COUNCILMAN KWASNA offered the following resolution which was
seconded by _____.

COUNCILMAN LULL

RESOLVED, that the Town Clerk be and is authorized to publish in the March 11, 1999, edition of the Times Review and post the attached Notice to Bidders with regard to receiving bids for the Extension 55-Maritime Funding Group.

RESOLVED, that the Town Clerk shall forward a certified copy of this resolution to Gary Pendzick, Water District., Richard Ehlers, Frank Isler, and H2M.

THE VOTE

Cardinale	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Kent	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Kwasna	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Lull	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Villella	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No			

THE RESOLUTION WAS ☒ WAS NOT ☐

THEREUPON DULY DECLARED ADOPTED

H2M GROUP

NOTICE TO BIDDERS

The Town Board of Riverhead will receive bids for Installation of Water Mains and Appurtenances for the Riverhead Water District at the Town Clerk's office, Town Hall, 200 Howell Avenue, Riverhead, New York 11901, at 11:00 AM, prevailing time, on Thursday, March 25, 1999, at which time and place all bids will be publicly opened and read for Project No. RDWD 98-57, Extension 55 - Maritime Funding Group.

Contract documents, including drawings and technical specifications, are on file at the following offices:

Town Clerk, Town of Riverhead
Town Hall, 200 Howell Avenue
Riverhead, New York 11901

Holzmacher, McLendon & Murrell, P.C.
575 Broad Hollow Road
Melville, New York 11747

Copies of the contract documents may be obtained at the above locations on or after March 11, 1999, upon deposit of Fifty Dollars (\$50.00) in cash, certified check, bank money order or postal money order, made payable to the TOWN OF RIVERHEAD for each set furnished.

Deposits for Plans and Specifications will be refunded to Bidders who return same in good condition within ten (10) days. Other deposits will either be partially or not refunded if the Plans and Specifications have not been returned in good condition within thirty (30) days after bids have been opened.

Each proposal must be accompanied by a bid bond in the amount of five percent (5%) of the total bid, or a certified check made payable to the TOWN OF RIVERHEAD as assurance that the bid is made in good faith.

The right is reserved to reject any or all bids, to waive any informalities, and to accept the lowest responsible bid.

BY ORDER OF THE TOWN BOARD
TOWN OF RIVERHEAD
SUFFOLK COUNTY, NEW YORK

ACTING AS THE GOVERNING BODY
OF THE RIVERHEAD WATER DISTRICT

BARBARA GRATTAN, TOWN CLERK

DATED: March 11, 1999

TOWN OF RIVERHEAD

Adopted

Resolution 207

AUTHORIZES THE ATTENDANCE OF POLICE OFFICER

AT AN INSTRUCTOR TRAINING COURSE

IN NEWPORT, RHODE ISLAND

COUNCILMAN LULL, offered the following resolution which was seconded
by COUNCILMAN CARDINALE

WHEREAS, the Chief of Police had requested authorization from the Riverhead Town Board for the attendance of one Police Officer at an Instructor Training Course entitled "ASP Instructor Certification Seminar" to be held in Newport, Rhode Island, March 22nd and 23rd, 1999; and

NOW, THEREFORE, BE IT RESOLVED, the Town Board hereby authorizes the attendance of one Police Officer at the aforementioned Training Course, and

BE IT FURTHER, RESOLVED, that the Town Board authorizes reimbursement of expenses upon proper submission of receipts; and

BE IT FURTHER, RESOLVED, that the Town Clerk be and is hereby directed to forward a copy of this resolution to the Chief of Police and the Office of Accounting.

THE VOTE

Cardinale	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Kent	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Kwasna	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Lull	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Villella	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No			

THE RESOLUTION WAS ☒ WAS NOT ☐

THEREUPON DULY DECLARED ADOPTED

03/02/99

TOWN OF RIVERHEAD

Adopted

Resolution # 208ACCEPTS LETTER OF RETIREMENT FOR
POLICE DETECTIVE

COUNCILMAN CARDINALE offered the following
resolution, which was seconded by COUNCILMAN KENT

WHEREAS, Kenneth Woods has submitted a letter to the Town Board to notify them of his intent to retire.

NOW, THEREFORE, BE IT RESOLVED, effective March 14, 1999, the Town Board hereby accepts the retirement letter of Kenneth Woods, and

BE IT FURTHER, RESOLVED, that the Town Clerk be and is hereby directed to forward a certified copy of this resolution to Kenneth Woods, the Police Department and the Office of Accounting.

THE VOTE

Cardinale ☒ Yes ☐ No Kent ☒ Yes ☐ No
Kwasna ☒ Yes ☐ No Lull ☒ Yes ☐ No
Vilella ☒ Yes ☐ No

THE RESOLUTION WAS ☒ WAS NOT ☐

THEREUPON DULY DECLARED ADOPTED

TOWN OF RIVERHEAD

Adopted

Resolution 209AUTHORIZES THE ATTENDANCE OF POLICE DETECTIVESAT AN TRAINING COURSEIN ALBANY, NEW YORK

COUNCILMAN KENT, offered the following resolution which was seconded
by COUNCILMAN KWASNA

WHEREAS, the Chief of Police had requested authorization from the Riverhead Town Board for the attendance of two Police Detectives at an Regional Conference on Gang Activities to be held in Albany, New York, March 16th and 17th, 1999; and

NOW, THEREFORE, BE IT RESOLVED, the Town Board hereby authorizes the attendance of two Police Detectives at the aforementioned Conference, and

BE IT FURTHER, RESOLVED, that the Town Board authorizes reimbursement of expenses upon proper submission of receipts; and

BE IT FURTHER, RESOLVED, that the Town Clerk be and is hereby directed to forward a copy of this resolution to the Chief of Police and the Office of Accounting.

THE VOTE

Cardinale	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Kent	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Kwasna	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Lull	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Villella	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No			

THE RESOLUTION WAS ☒ WAS NOT ☐

THEREUPON DULY DECLARED ADOPTED

3/2/99

Adopted

TOWN OF RIVERHEAD

Resolution # 210

**AMENDS RESOLUTION #7 OF 1999 (REAPPOINTS LEGAL REPRESENTATION
SERVICE CONTRACTS; ENGINEERING, COMPUTER, COURT REPORTING,
BOARD TRANSCRIPTION AND INTERPRETATION CONSULTANTS)**

COUNCILMAN KWASNA offered the following resolution, was seconded by

COUNCILMAN LULL:

WHEREAS, by Resolution #7 adopted on January 5, 1999, the Town Board of the Town of Riverhead reappointed a list of individuals in connection with Engineering, Computer, Court Reporting, Board Transcription and Interpretation Service Contracts; and

WHEREAS, Resolution #7 incorrectly listed certain individuals under the Interpreters for the Police Department portion.

NOW THEREFORE BE IT RESOLVED, the Interpreteters for the Police Department portion of resolution #7 should read as follows:

<u>NAME</u>	<u>LANGUAGE</u>
Krystyna Zielinska	Polish
Zyta Piegari	Spanish
Peter Piegari	Spanish

and be it further;

RESOLVED, that the Supervisor be and is hereby authorized to execute the attached Agreements in connection with interpreter services of the aforementioned individuals; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Police Chief Joseph Grattan and the Office of Accounting.

c:\msword\reso\amend.res

THE VOTE

Cardinale	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Kent	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Kwasna	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Lull	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Villella	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No			

THE RESOLUTION WAS ☒ WAS NOT ☐

THEREUPON DULY DECLARED ADOPTED

AGREEMENT

BETWEEN

THE TOWN OF RIVERHEAD, a Municipal Corporation with Offices at 200 Howell Avenue, Riverhead, New York, hereinafter referred to as "TOWN" and KRYSTYNA ZIELINSKA, a Partnership / Corporation / Limited Liability Partnership with offices at 522 Pulaski Street, Riverhead, New York, Vendor Number 009806, hereinafter referred to as "CONTRACTOR".

WITNESSETH

WHEREAS, the TOWN, in connection with its Municipal Operations, requires services consisting of the Following: Language Translation;

AND

WHEREAS, the CONTRACTOR is willing to provide the following services to the Town:

Description of Services: Language Translation – Polish .

Date(s) and Hours of Services: On-Call, Flexible.

IT IS HEREBY AGREED, by the TOWN and CONTRACTOR as follows:

1. That CONTRACTOR shall provide and fully perform to the TOWN'S satisfaction the aforementioned services to the TOWN on the date(s) and time(s) stated above.
2. In return for CONTRACTOR'S services, the TOWN shall pay CONTRACTOR as follows: The sum of Fifty (\$50.00) Dollars for the first (1st) Hour of Service and Thirty-five (\$35.00) Dollars for each hour, or part thereof, thereafter. That sum shall be payable after the CONTRACTOR performs the services described for the TOWN and after CONTRACTOR has filed with the TOWN OF RIVERHEAD, Vouchers and any other documents reasonably required for payment.

DATED: Riverhead, New York
January _____, 1999.

TOWN OF RIVERHEAD

BY: _____

TOWN SUPERVISOR

CONTRACTOR

BY: _____

AGREEMENT

BETWEEN

THE TOWN OF RIVERHEAD, a Municipal Corporation with Offices at 200 Howell Avenue, Riverhead, New York, hereinafter referred to as "TOWN" and ZYTA PIEGARI, a Partnership / Corporation / Limited Liability Partnership with offices at 245 Washington Avenue, Box 202, Jamesport, New York, Vendor Number 015156, hereinafter referred to as "CONTRACTOR".

WITNESSETH

WHEREAS, the TOWN, in connection with its Municipal Operations, requires services consisting of the Following: Language Translation;

AND

WHEREAS, the CONTRACTOR is willing to provide the following services to the Town:

Description of Services: Language Translation – Spanish .

Date(s) and Hours of Services: On-Call, Flexible.

IT IS HEREBY AGREED, by the TOWN and CONTRACTOR as follows:

1. That CONTRACTOR shall provide and fully perform to the TOWN'S satisfaction the aforementioned services to the TOWN on the date(s) and time(s) stated above.
2. In return for CONTRACTOR'S services, the TOWN shall pay CONTRACTOR as follows: The sum of Fifty (\$50.00) Dollars for the first (1st) Hour of Service and Thirty-five (\$35.00) Dollars for each hour, or part thereof, thereafter. That sum shall be payable after the CONTRACTOR performs the services described for the TOWN and after CONTRACTOR has filed with the TOWN OF RIVERHEAD, Vouchers and any other documents reasonably required for payment.

DATED: Riverhead, New York
January ____, 1999.

TOWN OF RIVERHEAD

BY: _____

TOWN SUPERVISOR

CONTRACTOR

BY: _____

AGREEMENT

BETWEEN

THE TOWN OF RIVERHEAD, a Municipal Corporation with Offices at 200 Howell Avenue, Riverhead, New York, hereinafter referred to as "TOWN" and PETER PIEGARI, a Partnership / Corporation / Limited Liability Partnership with offices at 245 Washington Avenue, Box 202, Jamesport, New York, Vendor Number 015156, hereinafter referred to as "CONTRACTOR".

WITNESSETH

WHEREAS, the TOWN, in connection with its Municipal Operations, requires services consisting of the Following: Language Translation;

AND

WHEREAS, the CONTRACTOR is willing to provide the following services to the Town:

Description of Services: Language Translation – Spanish .

Date(s) and Hours of Services: On-Call, Flexible.

IT IS HEREBY AGREED, by the TOWN and CONTRACTOR as follows:

1. That CONTRACTOR shall provide and fully perform to the TOWN'S satisfaction the aforementioned services to the TOWN on the date(s) and time(s) stated above.
2. In return for CONTRACTOR'S services, the TOWN shall pay CONTRACTOR as follows: The sum of Fifty (\$50.00) Dollars for the first (1st) Hour of Service and Thirty-five (\$35.00) Dollars for each hour, or part thereof, thereafter. That sum shall be payable after the CONTRACTOR performs the services described for the TOWN and after CONTRACTOR has filed with the TOWN OF RIVERHEAD, Vouchers and any other documents reasonably required for payment.

DATED: Riverhead, New York
January ____, 1999.

TOWN OF RIVERHEAD

BY: _____

TOWN SUPERVISOR

CONTRACTOR

BY:  _____

Adopted

March 2, 1999

TOWN OF RIVERHEAD

Resolution # 211

APPROVES SPECIAL PERMIT OF DWAYNE EARLY

COUNCILMAN LULL offered the following resolution which
was seconded by COUNCILMAN CARDINALE

WHEREAS, the Town Board of the Town of Riverhead is in receipt of a special permit petition from Dwayne Early pursuant to Section 108-51A of the Town Code for the expansion of a pre-existing, non-conforming dog kennel use by the construction of a 6,614 square foot building with 9,134 square feet ground floor area to be located on a 6.1 acre parcel zoned Agriculture A and known by Suffolk County Tax Map Number 0600-46-1-21, and

WHEREAS, the Riverhead Town Board by resolution #679 of 1998 deemed said petition to be an Unlisted Action, and

WHEREAS, the Town Board has referred the petition to the Riverhead Planning Board for its report and recommendation; such Planning Board recommending approval of the petition subject to certain conditions, and

WHEREAS, as the proposed extension is considered to be less than 10% of the existing non-conforming use, a public hearing is not required, and

WHEREAS, the Town Board has carefully considered the merits of the petition, the SEQRA record created to date, the report of the Planning Department, the attending site plan, as well as all other relevant planning, zoning and environmental information, now

THEREFORE, BE IT

RESOLVED, that in the matter of the special permit petition of Dwayne Early, the Riverhead Town Board makes the following findings:

1. That the premises is located within the Agriculture A Zoning Use District;
2. That the plot area is sufficient, appropriate and adequate for the use and the expansion thereof;
3. That the kennel operation would be buffered from neighboring properties by vegetation which presently exists on all sides;

BE IT FURTHER

RESOLVED, that based upon its findings, the Riverhead Town Board hereby approves the special permit petition of Dwayne Early subject to the following conditions:

1. That all boarded animals be housed within the new 6,568 square foot facility and that any and all other animals not housed in said facility must be owned by a resident of the premises;
2. That a scenic buffer of a minimum of thirty (30) feet along the easterly property line be provided to buffer potential noise impacts to lots 0600-46-1-33.23 and 33.24;
3. That an asphalt driveway and parking area be provided unless relief from the Zoning Board of Appeals has been obtained;
4. That all signs obtain proper approvals and permits;
5. That proper documentation is filed that said use existed prior to 1965;
6. That the special permit shall be valid for a period of three years during such time construction shall commence;
7. That the special permit is being issued to the applicant and shall not be accessory to another party without the prior consent of this Board, and

BE IT FURTHER

RESOLVED, that a copy of this resolution shall be forwarded to Valerie Marvin, Attorney for the applicant.

THE VOTE

Cardinale	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	Kent	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Kwasna	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	Lull	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Villella	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>			

THE RESOLUTION WAS ☒ WAS NOT ☐
THEREUPON DULY DECLARED ADOPTED

Adopted

March 02, 1999

Town of Riverhead

RESOLUTION # 212

AUTHORIZES TOWN CLERK TO PUBLISH AND POST PUBLIC HEARING NOTICE TO CONSIDER THE DEMOLITION OF BUILDING(S) OWNED BY PAUL J. HULAHAN & STANLEY TERLECKY D/B/A PECONIC ASSOCIATES PURSUANT TO CHAPTER 54 OF THE CODE OF THE TOWN OF RIVERHEAD ENTITLED, "UNSAFE BUILDINGS AND COLLAPSED STRUCTURES".

COUNCILMAN CARDINALE

_____ offered the following resolution, was seconded by

_____ ~~COUNCILMAN KENT~~

RESOLVED, that the Town Clerk be and is hereby authorized to publish and post the attached public notice to consider the demolition of certain building(s) purportedly owned by Paul J. Hulahan & Stanley Terlecky D/B/A Peconic Associates, located at 41 Forge Road, Calverton, New York 11933, Riverhead, New York 11901, known and designated as Suffolk County Tax Map#0600-139.00-01-004.00; and be it further

RESOLVED, that the Town Clerk be and is hereby directed to forward a certified copy of this resolution to Paul J. Hulahan & Stanley Terlecky D/B/A Peconic Associates, 65 Bayview Avenue, Bayport, New York 11705, The Fire Marshal, The Assessor's Office, Town Engineer's Office; Town Attorney's Office and the Town Building Department.

THE VOTE

Cardinale	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Kent	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Kwasna	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Lull	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Villella	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No			

THE RESOLUTION WAS ☒ WAS NOT ☐

THEREUPON DULY DECLARED ADOPTED

TOWN OF RIVERHEAD**PUBLIC NOTICE**

PLEASE TAKE NOTICE, that a public hearing will be held on the 25th day of March 1999 at 1:15 PM at Town Hall, 200 Howell Avenue, Riverhead, New York, to hear all interested persons, to consider whether the owner of real property purportedly owned by Paul J Hulahan & Stanley Terlecky D/B/A/ Peconic Associates, located at 41 Forge Road, Calverton, New York 11933, known and designated as Suffolk County Tax Map#139.00-01-004.00, should secure the buildings(s) situated on said property so that the health, safety and welfare of the residents of the Town of Riverhead shall not be endangered or, if the building(s) are found to be in an unsafe condition as described pursuant to Chapter 54 of the Code of the Town of Riverhead entitled, "Unsafe Buildings and Collapsed Structures" to be repaired and secured or demolished and removed.

Dated: Riverhead, New York
March 02, 1999

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD
BARBARA A. GARTTAN, Town Clerk

Adopted

MARCH 2, 1999

TOWN OF RIVERHEAD

Resolution # 213

APPOINTS A 90 DAY TEMPORARY CLERK TYPIST IN THE BUILDING DEPARTMENT

COUNCILMAN KENT offered the following
resolution, which was seconded by COUNCILMAN LULL

WHEREAS, there is a need in the Building Department for a 90 Day Temporary Clerk Typist, and

WHEREAS, applications were submitted and interviews were conducted to fill this vacancy, and

WHEREAS, it is the recommendation of the Department Head for the Building Department to hire Theresa Davis.

NOW, THEREFORE, BE IT RESOLVED, that effective February 23, 1999 the Town Board hereby ratifies the appointment of Theresa Davis to the position of 90 Day Temporary Clerk Typist at an hourly rate of \$10.9073.

BE IT FURTHER, RESOLVED, that the Town Clerk be and is hereby authorized to forward a copy of this resolution to Theresa Davis, the Building Department, and the Office of Accounting.

THE VOTE

Cardinale ☒ Yes ☐ No Kent ☒ Yes ☐ No

Kwasna ☒ Yes ☐ No Lull ☒ Yes ☐ No

Vilella ☒ Yes ☐ No

THE RESOLUTION WAS ☒ WAS NOT ☐

THEREUPON DULY DECLARED ADOPTED

MARCH 2, 1999

Adopted

TOWN OF RIVERHEAD

Resolution # 214SEWER DISTRICTBUDGET ADJUSTMENT

COUNCILMAN KWASNA offered the following resolution ,
 which was seconded by COUNCILMAN LULL

BE IT RESOLVED, that the Supervisor be and is hereby authorized to establish the following budget adjustment:

114.000000.390599 APPROPRIATED FUND BALANCE
 114.081300.541416 REPLACEMENT & IMPROVEMENTS

FROM:
 \$30,800.
 500.

TO:

114.081300.543504 ENGINEERING
 114.081300.543011 PLANT IMPROVEMENTS

\$30,800.
 500.

THE VOTE

Cardinale ☒ Yes ☐ No Kent ☒ Yes ☐ No
 Kwasna ☒ Yes ☐ No Lull ☒ Yes ☐ No
 Villella ☒ Yes ☐ No

THE RESOLUTION WAS ☒ WAS NOT ☐
 THEREUPON DULY DECLARED ADOPTED

Adopted

MARCH 2, 1999

TOWN OF RIVERHEAD

Resolution # 215

MILLBROOK GABLES SEWER EXTENSION

CAPITAL PROJECT

BUDGET ADOPTION

COUNCILMAN LULL offered the following resolution ,
which was seconded by COUNCILMAN CARDINALE

BE IT RESOLVED, that the Supervisor be and is hereby authorized to establish the following budget:

406.092705.421050.20010	DEVELOPER FEES	FROM:	\$2,000.
406.081300.543504.20010	ENGINEERING EXPENSE	TO:	\$2,000.

THE VOTE

Cardinale	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Kent	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Kwasna	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Lull	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Villella	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No			

THE RESOLUTION WAS ☒ WAS NOT ☐

THEREUPON DULY DECLARED ADOPTED

03/02/99

Adopted

TOWN OF RIVERHEAD

Resolution # 216**APPOINTS PART TIME ANIMAL CONTROL OFFICER
IN THE POLICE DEPARTMENT****COUNCILMAN CARDINALE**

offered the following

resolution, which was seconded by **COUNCILMAN KENT**

WHEREAS, a vacancy exists at the Police Department for the position of Part Time Animal Control Officer I; and

WHEREAS, Suffolk County Department of Civil Service has established list #99A-034 for this title; and

WHEREAS, interviews have been conducted and it is the recommendation of the Chief of Police and the Personnel Committee that we hire Louis Coronesi.

NOW, THEREFORE, BE IT RESOLVED, that effective March 5, 1999, the Town Board hereby appoints Louis Coronesi to the position of Part Time Animal Control Officer at the hourly rate of \$12.21 per hour.

BE IT FURTHER, RESOLVED, that the Town Clerk be and is hereby authorized to forward a copy of this resolution to Louis Coronesi, the Police Department, and the Office of Accounting.

THE VOTE

Cardinale	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Kent	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Kwasna	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Lull	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Villella	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No			

THE RESOLUTION WAS ☒ WAS NOT ☐

THEREUPON DULY DECLARED ADOPTED

03/02/99

Adopted**TOWN OF RIVERHEAD****Resolution # 217****EXTENDS PARENTAGE LEAVE****COUNCILMAN KENT**

offered the following

resolution, which was seconded by **COUNCILMAN KWASNA**

WHEREAS, by Resolution #99-48 the Town Board granted a parentage leave of absence for Donna Zaweski in the Town Clerk's Office; and

WHEREAS, Donna Zaweski has requested that the Town Board reconsider the length of her leave; and

WHEREAS, the Town Clerk has recommended that the leave be extended to June 1, 1999.

NOW, THEREFORE, BE IT RESOLVED, that Donna Zaweski be granted a parentage leave of absence effective January 16, 1999 and terminating June 1, 1999; and

BE IT FURTHER, RESOLVED, that the Town Clerk be and is hereby directed to forward a certified copy of this resignation to Donna Zaweski and the Accounting Department.

THE VOTE

Cardinale	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Kent	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Kwasna	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Lull	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Villella	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No			

THE RESOLUTION WAS ☒ WAS NOT ☐

THEREUPON DULY DECLARED ADOPTED

Adopted

03/02/99

TOWN OF RIVERHEAD

Resolution # 218

AUTHORIZES TOWN CLERK TO PUBLISH AND POST A
HELP WANTED AD FOR A PART TIME KENNEL ATTENDANT

COUNCILMAN KWASNA offered the following
resolution, which was seconded by COUNCILMAN LULL

RESOLVED, that the Town Clerk be and is hereby directed to publish the
attached Help Wanted Ad in the March 4, 1999 issue of The News Review;

THE VOTE
Cardinale ☒ Yes ☐ No Kent ☒ Yes ☐ No
Kwasna ☒ Yes ☐ No Lull ☒ Yes ☐ No
Vilella ☒ Yes ☐ No
THE RESOLUTION WAS ☒ WAS NOT ☐
THEREUPON DULY DECLARED ADOPTED

HELP WANTED

PLEASE TAKE NOTICE, that the Town of Riverhead is seeking a qualified individual to serve in the position of a Part Time Kennel Attendant at the Riverhead Animal Shelter. Applicants must be available to work a weekday shift of 12:30-4:00 p.m. and must have a pleasant disposition when dealing with the public. Applications are to be submitted to the Accounting Department, 200 Howell Avenue, Riverhead, NY, between the hours of 8:30 a.m. and 4:30 p.m., Monday through Friday. No applications will be accepted after 4:00 p.m. on March 19th. The Town of Riverhead does not discriminate on the basis of age, race, color, national origin, sex or handicapped status in the employment or provision of services.

BY ORDER OF:
THE RIVERHEAD TOWN BOARD
BARBARA GRATTAN, TOWN CLERK

Adopted

March 2, 1999

TOWN OF RIVERHEAD

Resolution # 219

'95 PARKS EQUIPMENT & IMPROVEMENT CAPITAL PROJECT

BUDGET ADJUSTMENT

COUNCILMAN LULL offered the following resolution ,
which was seconded by COUNCILMAN CARDINALE

BE IT RESOLVED, that the Supervisor be and is hereby authorized to establish the following budget:

406.095031.481900.700360 SPECIAL TRUST TRANSFER

FROM:
\$14,805.

406.071100.523007.70036	STOTZKY PARK PARKING	TO:	
	FIELD IMPROVEMENT		\$ 105.
406.071400.523007.70036	JAMESPORT COMMUNITY CENTER		
	PARKING FIELD IMPROVEMENT		8,300.
406.071100.524911.70036	FOOTBALL FIELD IMPROVEMENT		6,400.

THE VOTE

Cardinale	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Kent	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Kwasna	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Lull	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Villella	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No			

THE RESOLUTION WAS ☒ WAS NOT ☐
THEREUPON DULY DECLARED ADOPTED

Adopted

March 2, 1999

TOWN OF RIVERHEAD

Resolution # 220

'97 RECREATION CAPITAL IMPROVEMENT PROJECT

BUDGET ADJUSTMENT

COUNCILMAN CARDINALE offered the following resolution ,
which was seconded by COUNCILMAN KENT

BE IT RESOLVED, that the Supervisor be and is hereby authorized to establish the following budget:

406.095031.524914.70039	TOWN PARK EQUIPMENT	FROM:	\$ 36.
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		TO:	
406.071400.524407.70039	GEORGE YOUNG COMMUNITY CENTER SIGNAGE		\$36.

THE VOTE

Cardinale	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Kent	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Kwasna	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Lull	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Vilella	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No			

THE RESOLUTION WAS ☒ WAS NOT ☐

THEREUPON DULY DECLARED ADOPTED

March 2, 1999

TOWN OF RIVERHEAD

AdoptedResolution # 221**'98 RECREATION CAPITAL IMPROVEMENT PROJECT****BUDGET ADJUSTMENT****COUNCILMAN KENT**

offered the following resolution ,

which was seconded by **COUNCILMAN KWASNA**

BE IT RESOLVED, that the Supervisor be and is hereby authorized to establish the following budget:

406.095031.481900.70040 SPECIAL TRUST TRANSFER FROM: \$25,400.

		TO:	
406.071100.523020.70040	FENCE REPAIR-TWO BEARS PARK		\$ 100.
406.071100.523014.70040	JAMESPORT BEACH BASKETBALL/TENNIS CT		
	LIGHTING IMPROVEMENTS		25,300.

THE VOTE

Cardinale ☒ Yes ☐ No Kent ☒ Yes ☐ No
 Kwasna ☒ Yes ☐ No Lull ☒ Yes ☐ No
 Villella ☒ Yes ☐ No

THE RESOLUTION WAS ☒ WAS NOT ☐
 THEREUPON DULY DECLARED ADOPTED

Adopted

March 2, 1999

TOWN OF RIVERHEAD

Resolution # 222

LITTLE LEAGUE BALL FIELD IMPROVEMENT

CAPITAL PROJECT

BUDGET ADJUSTMENT

COUNCILMAN KWASNA offered the following resolution ,
which was seconded by COUNCILMAN LULL

BE IT RESOLVED, that the Supervisor be and is hereby authorized
to establish the following budget:

406.071100.523014.40093 UTILITY INSTALLATION

FROM:
\$12,965.

TO:

406.071100.524910.40093 BALL FIELD FENCING

\$ 12,965.

THE VOTE

Cardinale	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Kent	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Kwasna	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Lull	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Vilella	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No			

THE RESOLUTION WAS ☒ WAS NOT ☐

THEREUPON LULL DECLARED ADOPTED

03/02/99

Adopted

TOWN OF RIVERHEAD

Resolution # 223

APPOINTS PUBLIC SAFETY DISPATCHER
IN THE POLICE DEPARTMENT

COUNCILMAN LULL offered the following
 resolution, which was seconded by COUNCILMAN CARDINALE

WHEREAS, due the resignation of Kathleen Vonatzski there is a vacancy for the position of Public Safety Dispatcher I in the Police Department, and

WHEREAS, Suffolk County Department of Civil Service established list #98A-464 which was canvassed, and interviews were conducted; and

WHEREAS, it is the recommendation of the Town Board Personnel Committee that Karen Walsh be hired.

NOW, THEREFORE, BE IT RESOLVED, that effective March 15, 1999, the Town Board hereby appoints Karen Walsh to the position of Public Safety Dispatcher I, Group 1 Step P of the Public Safety Dispatchers Salary Schedule of the Civil Service Employees Contract, and

BE IT FURTHER, RESOLVED, that the Town Clerk be and is hereby authorized to forward a copy of this resolution to Karen Walsh, the Police Department, and the Office of Accounting.

THE VOTE

Cardinale	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Kent	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Kwasna	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Lull	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Villella	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No			

THE RESOLUTION WAS ☒ WAS NOT ☐

THEREUPON DULY DECLARED ADOPTED

03/02/99

TOWN OF RIVERHEAD

Resolution # 224

AUTHORIZES ATTENDANCE AT A TRAINING SEMINAR

COUNCILMAN CARDINALE offered the following
resolution, which was seconded by COUNCILMAN KENT

WHEREAS, a seminar is being held for "The Management of the Departmental Training Operation" in Wilmington, Delaware on March 30th and 31st, 1999, and

WHEREAS, Sergeant Stephen Palmer has requested to attend this Workshop.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board hereby authorizes the attendance of the aforementioned personnel at the Workshop in Delaware, with reimbursement of expenses upon submission of proper receipts not to exceed \$580.00, and

BE IT FURTHER, RESOLVED, that the Town Clerk be and is hereby authorized to forward a copy of this resolution to Sergeant Stephen Palmer, the Police Department, and the Office of Accounting.

THE VOTE

Cardinale <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Kent <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Kwasna <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Lull <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Vilella <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	

THE RESOLUTION WAS ☒ WAS NOT ☐

THEREUPON DULY DECLARED ADOPTED

Adopted

March 2, 1999

TOWN OF RIVERHEAD

Resolution # 225

CORWIN BENJAMIN HOUSE ACQUISITION

CAPITAL PROJECT

BUDGET ADJUSTMENT

COUNCILMAN KENT offered the following resolution ,
which was seconded by COUNCILMAN KWASNA

BE IT RESOLVED, that the Supervisor be and is hereby authorized to establish the following budget adjustment:

406.099010.481000.40030 TRANSFER FROM GENERAL FUND

FROM:
\$5,500.

406.075200.52311.40030 BUILDING IMPROVEMENT

TO:
\$5,500.

THE VOTE

Cardinale ☒ Yes ☐ No Kent ☒ Yes ☐ No
Kwasna ☒ Yes ☐ No Lull ☒ Yes ☐ No
Villella ☒ Yes ☐ No

THE RESOLUTION WAS ☒ WAS NOT ☐
THEREUPON DULY DECLARED ADOPTED

MARCH 2, 1999

TOWN OF RIVERHEAD

Adopted

BUSINESS IMPROVEMENT DISTRICT
BUDGET ADJUSTMENTRESOLUTION # 226COUNCILMAN KWASNA offered the following resolution ,which was seconded by COUNCILMAN LULL

BE IT RESOLVED, that the Supervisor be and is hereby authorized to establish the following budget adjustment:

118.064100.542100 OFFICE SUPPLIES

FROM:
315.00

118.064100.524000 EQUIPMENT

TO:
315.00**THE VOTE**Cardinale ☒ Yes ☐ No Kent ☒ Yes ☐ NoKwasna ☒ Yes ☐ No Lull ☒ Yes ☐ NoVilella ☒ Yes ☐ NoTHE RESOLUTION WAS ☒ WAS NOT ☐

THEREUPON DULY DECLARED ADOPTED

March 2, 1999

Adopted

TOWN OF RIVERHEAD

AWARDS BID FOR RECYCLE CONTAINERS

RESOLUTION # 227

COUNCILMAN LULL offered the following resolution, which was seconded
by ~~COUNCILMAN CARDINALE~~

WHEREAS, the Town Clerk was authorized to publish and post a notice to bidders for **RECYCLE CONTAINERS**;

WHEREAS, bids were received, opened, and read aloud on the 23rd day of February, 1999, at 11:00 a.m. at Town Hall, 200 Howell Avenue Riverhead, New York 11901, the date, time, and place given in the notice to bidders.

NOW, THEREFORE, BE IT

RESOLVED, that the bid for **RECYCLE CONTAINERS**, be and is hereby awarded to Emerald Island Supply Co. from March 2, 1999 to March 1, 2000 for \$12.46.

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Emerald Island Supply Co., the Sanitation Supervisor, the Supervisor's Office and the Purchasing Department.

THE VOTE

Cardinale	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Kent	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Kwasna	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Lull	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Villella	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No			

THE RESOLUTION WAS ☒ WAS NOT ☐

THEREUPON DECLARED ADOPTED

03/02/99

Adopted

TOWN OF RIVERHEAD

Resolution # 228AUTHORIZES TOWN CLERK TO PUBLISH AND POST A
HELP WANTED AD FOR SITE PLAN REVIEWER

COUNCILMAN CARDINALE offered the following
 resolution, which was seconded by COUNCILMAN KENT

RESOLVED, that the Town Clerk be and is hereby directed to publish the
 attached Help Wanted Ad in the March 7, 1999 issue of Newsday

THE VOTE

Cardinale	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Kent	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Kwasna	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Lull	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Villella	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No			

THE RESOLUTION WAS ☒ WAS NOT ☐

THEREUPON DULY DECLARED ADOPTED

HELP WANTED

PLEASE TAKE NOTICE, that the Town of Riverhead is seeking a qualified individual to serve in the position of Site Plan Reviewer in the Planning Department. Candidates must have a minimum of six years experience in the areas of engineering, drafting, zoning inspection, site plan review or building construction. Applications are to be submitted to the Accounting Department, 200 Howell Avenue, Riverhead, NY, between the hours of 8:30 a.m. and 4:30 p.m., Monday through Friday. No applications will be accepted after 4:00 p.m. on March 12th. The Town of Riverhead does not discriminate on the basis of age, race, color, national origin, sex or handicapped status in the employment or provision of services.

BY ORDER OF:
THE RIVERHEAD TOWN BOARD
BARBARA GRATTAN, TOWN CLERK

March 2, 1999

Adopted

TOWN OF RIVERHEADAWARDS BID FOR MEDICAL SUPPLIESRESOLUTION # 229COUNCILMAN KENT offered the following resolution, which was seconded byCOUNCILMAN KWASNA

WHEREAS, the Town Clerk was authorized to publish and post a notice to bidders for **MEDICAL SUPPLIES**;

WHEREAS, bids were received, opened, and read aloud on the 25th day of January, 1999, at 11:30 a.m. at Town Hall, 200 Howell Avenue Riverhead, New York 11901, the date, time, and place given in the notice to bidders.

NOW, THEREFORE, BE IT

RESOLVED, that the bid for **MEDICAL SUPPLIES**, be and is hereby awarded, from March 3, 1999 through February 3, 2000, as follows:

Zee Medical Service, Inc. – Items # 1, 155, 170, 181

Armstrong Medical Inc. – Items # 46, 67, 69, 75, 76, 84, 85, 86, 87, 183

Matrix Medical Inc. – Items # 6, 18, 29, 39, 47, 58, 72, 77, 79, 81, 82, 83, 89, 91, 92, 116, 117, 121, 122, 127, 129, 131, 133, 139, 169, 173, 177, 180, 188

Hammer Medical – Items # 2, 7, 8, 9, 10, 13, 14, 15, 16, 19, 21, 22, 23, 24, 27, 31, 32, 33, 34, 35, 37, 42, 53, 55, 56, 59, 61, 62, 63, 66, 68, 70, 80, 90, 96, 101, 104, 123, 128, 131, 134, 135, 142, 143, 144, 146, 148, 150, 151, 152, 153, 159, 168, 171, 185, 186

G.E. Pickering, Inc. – Items # 25, 30, 36, 38, 45, 50, 52, 54, 57, 60, 64, 74, 93, 95, 97, 98, 99, 100, 102, 103, 106, 107, 109, 111, 112, 115, 118, 125, 138, 140, 145, 149, 156, 157, 158, 160, 162, 163

Moore Medical Corp. – Item # 3, 4, 5, 11, 12, 17, 20, 26, 28, 40, 41, 43, 44, 48, 49, 51, 65, 71, 73, 78, 88, 94, 105, 110, 114, 120, 124, 126, 130, 132, 136, 147, 154, 161, 164, 165, 166, 167, 172, 174, 178, 179, 182, 184, 187

Peconic Fire Equipment Dist. Inc. – Item # 175, 176

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Zee Medical Service, Inc., Armstrong Medical Inc., Matrix Medical Inc., Hammer Medical, G.E. Pickering, Inc., Moore Medical Corp., Peconic Fire Equipment Inc., the R.T.V.A.C. and the Purchasing Department.

THE NOTECardinale ☒ Yes ☐ No Kent ☒ Yes ☐ NoKwasna ☒ Yes ☐ No Lull ☒ Yes ☐ NoVilella ☒ Yes ☐ NoTHE RESOLUTION WAS ☒ WAS NOT ☐

Adopted

March 2, 1999

TOWN OF RIVERHEAD

AWARDS BID FOR ELECTRONICS

RESOLUTION # 230

COUNCILMAN KWASNA offered the following resolution, which was seconded
by COUNCILMAN LULL.

WHEREAS, the Town Clerk was authorized to publish and post a notice to bidders for **ELECTRONICS**;

WHEREAS, bids were received, opened, and read aloud on the 8th day of February, 1999, at 11:10 a.m. at Town Hall, 200 Howell Avenue Riverhead, New York 11901, the date, time, and place given in the notice to bidders.

NOW, THEREFORE, BE IT

RESOLVED, that the bid for **ELECTRONICS**, be and is hereby awarded to Patchogue Stationary and will be in place from April 1, 1999 to March 31, 2000.

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Patchogue Stationary and the Purchasing Department.

THE VOTE

Cardinale	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Kent	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Kwasna	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Lull	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Villella	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No			

THE RESOLUTION WAS ☒ WAS NOT ☐

THEREUPON DULY DECLARED ADOPTED

Tabled

RESOLUTION WAS WITHDRAWN ON
MARCH 16, 1999.

March 2, 1999

Town of Riverhead

RESOLUTION # 232

AUTHORIZES TOWN CLERK TO PUBLISH AND POST PUBLIC HEARING NOTICE TO CONSIDER THE DEMOLITION OF BUILDING(S) OWNED BY THELMA BOOKER, ET AL, PURSUANT TO CHAPTER 54 OF THE CODE OF THE TOWN OF RIVERHEAD ENTITLED, "UNSAFE BUILDINGS AND COLLAPSED STRUCTURES".

COUNCILMAN CARDINALE offered the following resolution, was seconded by

~~COUNCILMAN KENT~~

RESOLVED, that the Town Clerk be and is hereby authorized to publish and post the attached public notice to consider the demolition of certain building(s) purportedly owned by, Thelma Booker, ET AL, 23 Zion Street, Aquebogue, New York 11931, known and designated as Suffolk County Tax Map#0600-085.00-03-063.01; and be it further

RESOLVED, that the Town Clerk be and is hereby directed to forward a certified copy of this resolution to Thelma Booker, 737 West Main Street, Riverhead, New York 11901, The Fire Marshal, The Assessor's Office, Town Engineer's Office; Town Attorney's Office and the Town Building Department.

ON MARCH 16, 1999, AT A REGULAR SCHEDULED TOWN BOARD MEETING, COUNCILMAN KENT OFFERED THE RESOLUTION TO BE BROUGHT OFF THE TABLE, WHICH WAS SECONDED BY COUNCILMAN LULL. EVERYONE IN FAVOR, KWASNA, ABSENT. RESOLUTION WAS BROUGHT OFF THE TABLE.

COUNCILMAN KENT OFFERED THE RESOLUTION TO BE REMOVED, WHICH WAS SECONDED BY COUNCILMAN LULL. EVERYONE IN FAVOR, KWASNA, ABSENT. RESOLUTION WAS THEREUPON DECLARED TO BE DULY WITHDRAWN.

(PLEASE SEE RESOLUTION NO. 259, ADOPTED ON
MARCH 16, 1999.

THE VOTE
Cardinale ☒ Yes ☐ No Kent ☒ Yes ☐ No
Kwasna ☒ Yes ☐ No Lull ☒ Yes ☐ No
Vilella ☒ Yes ☐ No
THE RESOLUTION WAS ☒ WAS NOT
THEREUPON DULY DECLARED ADOPTED

Tabled

TOWN OF RIVERHEAD**PUBLIC NOTICE**

PLEASE TAKE NOTICE, that a public hearing will be held on the 25th day of March 1999 at 1:05 PM at Town Hall, 200 Howell Avenue, Riverhead, New York, to hear all interested persons, to consider whether the owner of real property purportedly owned by Thelma Booker, located at 23 Zion Street, Aquebogue, New York 11931, known and designated as Suffolk County Tax Map#085.00-03-063.01, should secure the buildings(s) situated on said property so that the health, safety and welfare of the residents of the Town of Riverhead shall not be endangered or, if the building(s) are found to be in an unsafe condition as described pursuant to Chapter 54 of the Code of the Town of Riverhead entitled, "Unsafe Buildings and Collapsed Structures" to be repaired and secured or demolished and removed.

Dated: Riverhead, New York
March 02, 1999

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD
BARBARA GRATTAN, Town Clerk

Adopted

TOWN OF RIVERHEAD

RESOLUTION # 202

**AWARDS BID FOR DEMOLITION OF STRUCTURES ON PREMISES OWNED
BY CHRISTOFORUS VEOKAS (S.C.T.M. 0600-0126.00-01-002.03)
519-525 OSBORN AVENUE, RIVERHEAD**

Adopted: March 2, 1999

COUNCILMAN KWASNA offered the following resolution which
was seconded by COUNCILMAN LULL.

WHEREAS, the Town Clerk was authorized to publish and post a Notice to Bidders for the demolition of a structure owned by Christoforus Veokas, S.C.T.M. No. 0600-0126.00-01-002.03, more commonly known as 519-525 Osborn Avenue, Riverhead, New York; and

WHEREAS, seven (7) bids were received, opened and read aloud on the 8th day of February, 1999 at 11:30 am in the Office of the Town Clerk.

NOW, THEREFORE, BE IT RESOLVED, that the bid for the demolition of 519-525 Osborn Avenue, Riverhead be and is hereby awarded to Chesterfield Associates, Inc. for the sum of \$27,975.00; and

BE IT FURTHER RESOLVED, that the Town Board be and hereby authorizes the Town Clerk to return any and all bid bonds received in connections with the above; and

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Chesterfield associates, Inc., 56 S. Country Road, Westhampton Beach, NY 11978, the Building Department, Engineering Department and the Office of Accounting.

Engineering/Demolition/Osb.Award

THE VOTE

Cardinale	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Kent	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Kwasna	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Lull	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Villella	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No			

THE RESOLUTION WAS ☒ WAS NOT ☐

THEREUPON DULY DECLARED ADOPTED

Adopted

March 2, 1999

Town of Riverhead

RESOLUTION # 231

AUTHORIZES TOWN CLERK TO PUBLISH AND POST PUBLIC HEARING NOTICE TO CONSIDER THE DEMOLITION OF BUILDING(S) OWNED BY DELPHINE & WARREN BOOKER, JR., PURSUANT TO CHAPTER 54 OF THE CODE OF THE TOWN OF RIVERHEAD ENTITLED, "UNSAFE BUILDINGS AND COLLAPSED STRUCTURES".

COUNCILMAN LULL offered the following resolution, was seconded by

COUNCILMAN CARDINALE

RESOLVED, that the Town Clerk be and is hereby authorized to publish and post the attached public notice to consider the demolition of certain building(s) purportedly owned by Delphine Booker & Warren Booker, Jr., 9 Zion Street, Aquebogue, New York 11931, known and designated as Suffolk County Tax Map#0600-085.00-03-066.01; and be it further

RESOLVED, that the Town Clerk be and is hereby directed to forward a certified copy of this resolution to Delphine Booker & Warren Booker, Jr., 1036 Pulaski Street, Riverhead, New York 11901, The Fire Marshal, The Assessor's Office, Town Engineer's Office; Town Attorney's Office and the Town Building Department.

THE VOTE

Cardinale	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Kent	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Kwasna	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Lull	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Villella	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No			

THE RESOLUTION WAS ☒ WAS NOT ☐
THEREUPON DULY DECLARED ADOPTED

TOWN OF RIVERHEAD**PUBLIC NOTICE**

PLEASE TAKE NOTICE, that a public hearing will be held on the 25th day of March 1999 at 1:00 PM at Town Hall, 200 Howell Avenue, Riverhead, New York, to hear all interested persons, to consider whether the owner of real property purportedly owned by Delphine Booker & Warren Booker, Jr., located at 9 Zion Street, Aquebogue, New York 11931, known and designated as Suffolk County Tax Map#085.00-03-066.01, should secure the buildings(s) situated on said property so that the health, safety and welfare of the residents of the Town of Riverhead shall not be endangered or, if the building(s) are found to be in an unsafe condition as described pursuant to Chapter 54 of the Code of the Town of Riverhead entitled, "Unsafe Buildings and Collapsed Structures" to be repaired and secured or demolished and removed.

Dated: Riverhead, New York
March 2, 1999

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD
BARBARA GRATTAN, Town Clerk

Adopted

March 02, 1999

Town of Riverhead

RESOLUTION # 233

AUTHORIZES TOWN CLERK TO PUBLISH AND POST PUBLIC HEARING NOTICE TO CONSIDER THE DEMOLITION OF BUILDING(S) OWNED BY GARY MALLOY PURSUANT TO CHAPTER 54 OF THE CODE OF THE TOWN OF RIVERHEAD ENTITLED, "UNSAFE BUILDINGS AND COLLAPSED STRUCTURES".

COUNCILMAN KENT offered the following resolution, was seconded by

COUNCILMAN KWASNA

RESOLVED, that the Town Clerk be and is hereby authorized to publish and post the attached public notice to consider the demolition of certain building(s) purportedly owned by Gary Malloy, located at 22 Lewis Street, Riverhead, New York 11901, known and designated as Suffolk County Tax Map#0600-105.00-02-011.00; and be it further

RESOLVED, that the Town Clerk be and is hereby directed to forward a certified copy of this resolution to Gary Malloy, 91 Union Street, Center Moriches, New York 11934, The Fire Marshal, The Assessor's Office, Town Engineer's Office; Town Attorney's Office and the Town Building Department.

THE VOTE

Cardinale ☒ Yes ☐ No Kent ☒ Yes ☐ No
Kwasna ☒ Yes ☐ No Lull ☒ Yes ☐ No
Vilella ☒ Yes ☐ No

THE RESOLUTION WAS ☒ WAS NOT ☐
THEREUPON DULY DECLARED ADOPTED

TOWN OF RIVERHEAD**PUBLIC NOTICE**

PLEASE TAKE NOTICE, that a public hearing will be held on the 25th day of March 1999 at 1:10 PM at Town Hall, 200 Howell Avenue, Riverhead, New York, to hear all interested persons, to consider whether the owner of real property purportedly owned by Gary Malloy, located at 22 Lewis Street, Riverhead, New York 11901, known and designated as Suffolk County Tax Map # 105.00-02-011.00, should secure the buildings(s) situated on said property so that the health, safety and welfare of the residents of the Town of Riverhead shall not be endangered or, if the building(s) are found to be in an unsafe condition as described pursuant to Chapter 54 of the Code of the Town of Riverhead entitled, "Unsafe Buildings and Collapsed Structures" to be repaired and secured or demolished and removed.

Dated: Riverhead, New York
March 2, 1999

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD
BARBARA GRATTAN, Town Clerk

Adopted

February 2, 1999

TOWN OF RIVERHEAD

Resolution # 234

AUTHORIZES THE ACCEPTANCE OF PERFORMANCE BOND OF THE INN AT EAST WINDS.

COUNCILMAN KWASNA offered the following resolution, which was
seconded by COUNCILMAN LULL.

WHEREAS, Knightworld Inc. has submitted a 5% Performance Bond in the sum of Three Hundred Twenty-Three Thousand Dollars (\$323,000.00) pursuant to Covenants & Restrictions set forth by Site Plan Review of the Planning Department;

WHEREAS, Adam Grossman, Town Attorney, has deemed such bond sufficient as to form.

NOW, THEREFORE, BE IT RESOLEVED, that the Town Board of the Town of Riverhead hereby accepts the 5% performance bond of Knightworld for the Inn at East Winds; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Leroy Barnes, Building Department Administrator; Knightworld Inc., Kenny Barra, P.O. Box 742, Wading River, New York 11792; Charlene Cambria, Senior Auditor and the Accounting Department.

THE VOTE

Cardinale ☒ Yes ☐ No Kent ☒ Yes ☐ No

Kwasna ☒ Yes ☐ No Lull ☒ Yes ☐ No

Villella ☒ Yes ☐ No

THE RESOLUTION WAS ☒ WAS NOT ☐

THEREUPON DULY DECLARED ADOPTED

Adopted

3/2/99

TOWN OF RIVERHEAD

RESOLUTION # 235

AMENDS RESOLUTION #99-47

COUNCILMAN CARDINALE offered the following resolution as amended
which was seconded by **COUNCILMAN KENT**

WHEREAS, there is an urgent need for this Town Board to bring some satisfactory and expedited resolution to the ever increasing traffic problems this Town is now experiencing within and around the Route 58 Corridor; and

WHEREAS, it is necessary and advisable that a committee of responsible and knowledgeable citizens be formed to address this need; and

WHEREAS, it is advisable that the committee be charged with evaluating any viable scenario that may be deemed plausible relative to alleviating the traffic congestion that exists in and around the Route 58 Corridor; and

WHEREAS, it is advisable that this committee report its recommendations no later than September 1, 1999.

NOW, THEREFORE, BE IT RESOLVED, that Resolution #99-47 is hereby amended; and

BE IT FURTHER, RESOLVED, that the following individuals are named to the Route 58 Committee:

Phil Cardinale, Chairman; Lou Cork, Co-Chairman; Sal Messina, Lou Boschetti, Sherry Patterson, Joan Marshall and Charles Bloss

BE IT FURTHER, RESOLVED, that the Town Clerk is hereby authorized to send a copy of this resolution to each of the above named members.

THE VOTE

Cardinale ☒ Yes ☐ No Kent ☒ Yes ☐ No

Kwasna ☒ Yes ☐ No Lull ☒ Yes ☐ No

Villella ☒ Yes ☐ No

THE RESOLUTION WAS ☒ WAS NOT ☐

THEREUPON DULY DECLARED ADOPTED

Adopted

2/16/99

TOWN OF RIVERHEAD

Resolution # 236

APPOINTS A RECREATION AIDE TO THE RIVERHEAD RECREATION DEPARTMENT

COUNCILMAN KENT offered the following resolution,
which was seconded by COUNCILMAN KWASNA

RESOLVED, that Kevin Burgess is hereby appointed to serve as a Recreation Aide effective, February 16, 1999 to and including, April 30, 1999 to be paid at the rate of \$8.60 per hour, and to serve at the pleasure of the Town Board; and

BE IT FURTHER, RESOLVED, that this position is subject to the following condition(s):

All applications and appropriate forms are to be completed (in the Office of Accounting) PRIOR to start date; and

BE IT FURTHER, RESOLVED, that the Town Board hereby authorizes the Town Clerk to forward this Resolution to the Recreation Department and the Office of Accounting.

THE VOTE

Cardinale	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Kent	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Kwasna	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Lull	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Villella	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No			

THE RESOLUTION WAS ☒ WAS NOT ☐

THEREUPON DULY DECLARED ADOPTED

2/16/99

Adopted

TOWN OF RIVERHEAD

Resolution # 237**APPOINTS A RECREATION AIDE
TO THE RIVERHEAD RECREATION DEPARTMENT**

COUNCILMAN KWASNA offered the following resolution,
which was seconded by COUNCILMAN LULL

RESOLVED, that Desiree Kessunger is hereby appointed to serve as a Recreation Aide effective, February 16, 1999 to and including, April 30, 1999 to be paid at the rate of \$8.60 per hour, and to serve at the pleasure of the Town Board; and

BE IT FURTHER, RESOLVED, that this position is subject to the following condition(s):

All applications and appropriate forms are to be completed (in the Office of Accounting) PRIOR to start date; and

BE IT FURTHER, RESOLVED, that the Town Board hereby authorizes the Town Clerk to forward this Resolution to the Recreation Department and the Office of Accounting.

THE VOTE

Cardinale	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Kent	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Kwasna	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Lull	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Villella	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No			

THE RESOLUTION WAS ☒ WAS NOT ☐

THEREUPON DULY DECLARED ADOPTED

2/16/99

Adopted

TOWN OF RIVERHEAD

Resolution # 238

APPOINTS A RECREATION AIDE
TO THE RIVERHEAD RECREATION DEPARTMENT

_____ COUNCILMAN LULL _____ offered the following resolution,

which was seconded by _____ COUNCILMAN CARDINALE _____

RESOLVED, that James Mac Leod is hereby appointed to serve as a Recreation Aide effective, February 16, 1999 to and including, April 30, 1999 to be paid at the rate of \$8.60 per hour, and to serve at the pleasure of the Town Board; and

BE IT FURTHER, RESOLVED, that this position is subject to the following condition(s):

All applications and appropriate forms are to be completed (in the Office of Accounting) PRIOR to start date; and

BE IT FURTHER, RESOLVED, that the Town Board hereby authorizes the Town Clerk to forward this Resolution to the Recreation Department and the Office of Accounting.

THE VOTE

Cardinale	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Kent	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Kwasna	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Lull	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Villella	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No			

THE RESOLUTION WAS ☒ WAS NOT ☐

THEREUPON DULY DECLARED ADOPTED

3/2/99

Adopted

TOWN OF RIVERHEAD

Resolution # 239

SETS REGISTRATION FEES FOR THE RECREATION DEPARTMENT PROGRAMS

COUNCILMAN CARDINALE offered the following resolution,

which was seconded by COUNCILMAN KENT

RESOLVED, that the Town Board sets the Registration policy and fees for the 1999 Spring/Summer Recreation Department Program Brochure.

BE IT FURTHER, RESOLVED, that the Town Board hereby authorizes the Town Clerk to forward this Resolution to the Recreation Department and the Office of Accounting..

THE VOTE

Cardinale	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Kent	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Kwasna	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Lull	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Villella	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No			

THE RESOLUTION WAS ☒ WAS NOT ☐

THEREUPON DULY DECLARED ADOPTED

Youth Programs

Ballet	\$30/\$40	\$25/hr	\$5/\$10	8
FunaRama-4dys	\$7 /\$12	\$8.60/hr	\$1/\$5	1
ATimeForKids	\$20/\$30	In House	\$5/\$10	6
Swim Lessons	\$ 4		\$2	10
LifegdTraining	\$105		\$5	11
CeramicWkshp	\$13/\$18	\$12/student	\$1/\$5	1
CeramicWkshp	\$13/\$18	\$12/student	\$1/\$5	1
CeramicWkshp	\$13/\$18	\$12/student	\$1/\$5	1
Summ Tennis	\$20/\$25	\$15/hr	\$5/\$10	6
Golf Beg	\$65/75	\$60/student	\$5/\$10	6
Golf Int	\$65/\$75	\$60/student	\$5/\$10	6
Half Day Rec	\$80	----	\$5	9
Half Day Rec	\$85	----	\$5	10
All Day Rec	\$165	----	\$5	9
All Day Rec	\$185	----	\$5	10
All Day Rec	\$255	----	\$5	14
All Day Rec	\$365	----	\$5	20
Double Digits	\$185	----	\$5	8
Double Digits	\$245	----	\$5	12
Soccer	\$13/\$23	----	\$5/\$10	8
Youth Nite	\$2 (DJ)	----	----	1x/wk
Teen Ctr	No Fee	----	----	3x/wk
Egg Hunt	No Fee	----	----	1

Bus Trips

Bronx Zoo	\$16.
Spring Fling	\$16.
Mets BB Game	\$23.
Big E St Fair	\$30.

Family Discounts for Summer Rec Playground programs -
 25.00 for 2-week session
 \$50.00 for 3 or 4 week session
 (sibling must be enrolled in same activity #)

Proposed Fees for Recreation Programs/Spring + Summer 1999

Adult Programs	Res/NRes Cost	Instrctr Fee	Reg Fee Town	#Sessions
Ceramics	\$60/\$70	\$55/student	\$5/\$10	4
Sculpt&Flex	\$30/\$40	\$25/hr	\$5/\$10	8
Step/Strngthn	\$30/\$40	\$25/hr	\$5/\$10	8
Fitness Combo	\$30/\$40	\$25/hr	\$5/\$10	8
T/Th Exercise	\$55/\$75	\$25/hr	\$5/\$10	16
Computer	\$35/\$45	\$25/hr	\$5/\$10	5
Self Def Semnr	\$ 6/\$11	\$25/hr	\$1/\$5	1
Yoga	\$48/\$58	\$35/hr	\$5/\$10	8
Cntry Dance	\$30/\$40	\$35/hr	\$5/\$10	4
Canoeing	\$35/\$45	\$20/hr	\$5/\$10	2
Kayaking	\$50/\$60	\$20/hr	\$5/\$10	2
Adult Swim	\$ 4	----	\$2	10
Sp Tennis-90mn	\$47/\$57	\$20/hr	\$5/\$10	8
Sp Tennis-2hrs	\$60/\$70	\$20/hr	\$5/\$10	8
Summer Tennis	\$20/\$30	\$15/hr	\$5/\$10	6
Stained Glass	\$95/\$105	\$35/hr	\$5/\$10	6
Dog Obedience	\$70/\$80	\$25/hr	\$5/\$10	8
Dog Obed/Nov	\$70/\$80	\$25/hr	\$5/\$10	8
Golf	\$65/\$75	\$60/student	\$5/\$10	6
Totsaver	\$35	\$35/student	----	1
BLS Course	\$50	\$50/student	----	2
BLS Update	\$25	\$25/student	----	1
Water Color	\$50/\$60	\$30/hr	\$5/\$10	6
Srs Exer Mgt	\$40/\$50	\$360/class	\$4/\$10	8
Lifestyle Mgt	\$28/\$38	\$180/class	\$5/\$10	4
Self-Defense	\$35/\$45	\$ 25/hr	45/\$10	8

Adopted

March 2, 1999

TOWN OF RIVERHEAD

Resolution # 240

DE FRIEST FORCE MAIN INCASEMENT

CAPITAL PROJECT

BUDGET ADOPTION

COUNCILMAN KENT

offered the following resolution ,

which was seconded by **COUNCILMAN KWASNA**

BE IT RESOLVED, that the Supervisor be and is hereby authorized to establish the following budget adjustment:

406.092705.421050.20011 DEVELOPER FEES

FROM:

\$20,000.

TO:

406.081300.523012.20011

CONSTRUCTION

\$13,200.

406.081300.543504.20011

ENGINEERING

6,800.

THE VOTE

Cardinale ☒ Yes ☐ No Kent ☒ Yes ☐ No
Kwasna ☒ Yes ☐ No Lull ☒ Yes ☐ No
Villella ☒ Yes ☐ No

THE RESOLUTION WAS ☒ WAS NOT ☐

THEREUPON DULY DECLARED ADOPTED

Adopted

MARCH 2, 1999

TOWN OF RIVERHEAD

Resolution # 241

CALVERTON WATER PLANT #11 (ELEVEN)

CAPITAL PROJECT

BUDGET ADOPTION

COUNCILMAN KWASNA offered the following resolution ,
which was seconded by COUNCILMAN LULL

BE IT RESOLVED, that the Supervisor be and is hereby authorized to establish the following budget:

406.095710.494200.30058 SERIAL BONDS

FROM:
\$1,550,000.

406.083200.523010.30058	CONSTRUCTION OF WELL
406.083200.543501.30058	ENGINEERING
406.083200.543315.30058	LEGAL
406.083200.547900.30058	CONTINGENCIES

TO:
\$ 1,250,000.
206,500.
50,000.
43,500.

THE VOTE

Cardinale ☒ Yes ☐ No Kent ☒ Yes ☐ No
Kwasna ☒ Yes ☐ No Lull ☒ Yes ☐ No
Villella ☒ Yes ☐ No

THE RESOLUTION WAS ☒ WAS NOT ☐
THEREUPON DULY DECLARED ADOPTED

Adopted

MARCH 2, 1999

TOWN OF RIVERHEAD

Resolution # 242

CALVERTON SEWER DISTRICT EVALUATION

CAPITAL PROJECT

BUDGET ADOPTION

COUNCILMAN LULL offered the following resolution ,
which was seconded by COUNCILMAN CARDINALE

BE IT RESOLVED, that the Supervisor be and is hereby authorized to establish the following budget:

406.099010.481000.20012	ADVANCE FROM GENERAL FUND	FROM: \$62,000.
406.081300.543504.20012	ENGINEERING	TO: 31,900.
406.081300.542612.20012	SURVEY	7,000.
406.081300.543407.20012	MONITORING T.V.	20,000.
406.081300.547900.20012	CONTINGENCIES	3,100.

THE VOTE

Cardinale ☒ Yes ☐ No Kent ☒ Yes ☐ No
 Kwasna ☒ Yes ☐ No Lull ☒ Yes ☐ No
 Villella ☒ Yes ☐ No

THE RESOLUTION WAS ☒ WAS NOT ☐

THEREUPON DULY DECLARED ADOPTED

Adopted

MARCH 2, 1999

TOWN OF RIVERHEAD

Resolution # 243

COMMUNITY DEVELOPMENT AGENCY

BUDGET ADJUSTMENT

COUNCILMAN CARDINALE offered the following resolution,

which was seconded by COUNCILMAN KENT

BE IT RESOLVED, that the Supervisor be and is hereby authorized to establish the following budget adjustment:

FROM:

915.069890.481000 GENERAL FUND TRANSFER

\$5,800.

TO:

915.069890.543505 ENGINEERING

\$5,800.

THE VOTE

Cardinale ☒ Yes ☐ No Kent ☒ Yes ☐ No
Kwasna ☒ Yes ☐ No Lull ☒ Yes ☐ No
Viliella ☒ Yes ☐ No

THE RESOLUTION WAS ☒ WAS NOT ☐
THEREUPON DULY DECLARED ADOPTED

TOWN OF RIVERHEAD

RESOLUTION # 244

AUTHORIZES ATTENDANCE OF EMPLOYEES AT SEMINAR

Adopted: March 2, 1999

COUNCILMAN KENT offered the following resolution which
 was seconded by COUNCILMAN KWASNA.

WHEREAS, Cornell University will be hosting the Educational Conference entitled "Current Issues on Long Island Relating to Pesticides and Health at the Holiday Inn, Ronkonkoma on March 13, 1999 from 8:30 am to 4:30 pm; and

WHEREAS, the New York State Department of Environmental Conservation requires that pesticides and chemicals be applied to Town parks and facilities by only certified pesticides and chemical applicators. In order to satisfy these requirements, it is the recommendation of the Town Engineer that four employees be authorized to attend.

NOW, THEREFORE, BE IT RESOLVED, that the recommended employees be and are hereby authorized to attend; and

BE IT FURTHER RESOLVED, that all related expenses will be fully receipted upon their return and thereafter reimbursed by the Office of Accounting; and

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to the Engineering Department and the Office of Accounting.

THE VOTE

Cardinale	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Kent	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Kwasna	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Lull	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Vitella	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No			

THE RESOLUTION WAS ☒ WAS NOT ☐

THEREUPON DULY DECLARED ADOPTED

3/2/99

Adopted**TOWN OF RIVERHEAD**Resolution # 245COUNCILMAN KWASNA

offered the following resolution,

which was seconded by COUNCILMAN LULL.**AMBULANCE DISTRICT
BUDGET ADJUSTMENT**

120.092801.481200	AMBULANCE EQUIPMENT FUND	18,400
120.045400.546303	FUEL EXPENSE	10,000
120.045400.546400	WATER EXPENSE	800
120.045400.542307	FLARES EXPENSE	200
120.045400.524214	RADIO EXPENSE	5,000
120.045400.542115	COPY MACHINE SUPPLIES	2,000
120.045400.524222	CAMERA EXPENSE	400

THE VOTE

Cardinale ☒ Yes ☐ No Kent ☒ Yes ☐ No
 Kwasna ☒ Yes ☐ No Lull ☒ Yes ☐ No
 Villella ☒ Yes ☐ No

THE RESOLUTION WAS ☒ WAS NOT ☐

THEREUPON DULY DECLARED ADOPTED

Adopted

3/2/99

TOWN OF RIVERHEAD

Resolution # 246COUNCILMAN LULL

OFFERED THE FOLLOWING RESOLUTION,

WHICH WAS SECONDED BY COUNCILMAN CARDINALE

GENERAL FUND BUDGET ADJUSTMENT

001.033310.493210	LAW ENFORCEMENT BLOCK GRANT	48,000
001.010100.542612	TOWN BOARD, SURVEY & HOUSE NUMBERS	2,500
001.031200.524900	POLICE, MISC. EXPENSE	75
001.036200.512500	BUILDING DEPARTMENT, OVERTIME EXPENSE	2,000

001.012200.549000	SUPERVISOR, MISCELLANEOUS EXPENSE	1,500
001.013100.544270	FINANCE, LABOR MGMT. COMM. EXPENSE	1,000
001.031200.524101	POLICE, POLICE VEHICLES	48,000
001.031200.524409	POLICE, ALCO SENSOR EXPENSE	75
001.036200.543403	BUILDING DEPARTMENT, CONF. EXPENSE	2,000

THE VOTE

Cardinale	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Kent	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Kwasna	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Lull	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Villella	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No			

THE RESOLUTION WAS ☒ WAS NOT ☐

THEREUPON DULY DECLARED ADOPTED

Adopted

MARCH 2, 1999

TOWN OF RIVERHEAD

Resolution # 247

APPOINTMENT OF DETENTION ATTENDANT

COUNCILMAN CARDINALE offered the following resolution ,
which was seconded by COUNCILMAN KENT

WHEREAS, there is a need for a Detention Attendant in the Police Department;
and

WHEREAS, pursuant to interviews, a recommendation has been made by the
Chief of Police to hire John Letson in the position on a part-time basis:

NOW, THEREFORE, BE IT RESOLVED, the Town Board hereby ratifies the
appointment of John Letson to the position of Detention Attendant at an hourly rate of
pay of \$11.20; and

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby authorized
to forward a copy of this resolution to John Letson, the Chief of Police and the Office of
Accounting.

THE VOTE

Cardinale ☒ Yes ☐ No Kent ☒ Yes ☐ No
Kwasna ☒ Yes ☐ No Lull ☒ Yes ☐ No
Vilella ☒ Yes ☐ No

THE RESOLUTION WAS ☒ WAS NOT ☐
THEREUPON DULY DECLARED ADOPTED

Adopted

March 2, 1999

TOWN OF RIVERHEAD

Resolution # 248

AUTHORIZES HIRING OF PROFESSIONAL CONSULTING SERVICES OF LAN PROFESSIONALS, INC.

COUNCILMAN KENT offered the following resolution ,
which was seconded by COUNCILMAN KWASNA

WHEREAS, this Town Board finds it necessary to engage in the professional consulting services of a Computer Consultant to assist in the implementation of the CDPD software solution for the Riverhead Police Department and Department wide computerization project.

WHEREAS, funding will be provided by the COPS MORE '98 grant for these services.

NOW, THEREFORE, BE IT, RESOLVED, the Town Board hereby authorizes the Town Supervisor to enter into a contract with Lan Professionals, Inc. which shall incorporate the hourly rate of \$150 per hour plus \$25 per day for travel expenses, which will not exceed \$5,000, and

BE IT FURTHER, RESOLVED, that the Town Clerk be and is hereby authorized to forward a copy of this resolution to Lan Professionals, Inc., the Police Department and the Office of Accounting.

THE VOTE

Cardinale	<u>✓</u> Yes	<u>✓</u> No	Kent	<u>✓</u> Yes	<u>✓</u> No
Kwasna	<u>✓</u> Yes	<u>✓</u> No	Lull	<u>✓</u> Yes	<u>✓</u> No
Villella	<u>✓</u> Yes	<u>✓</u> No			

THE RESOLUTION WAS X WAS NOT

THEREUPON DULY DECLARED ADOPTED

Adopted

3/16/99

TOWN OF RIVERHEAD

Resolution # 249

**AUTHORIZES TOWN CLERK TO PUBLISH AND POST PUBLIC NOTICE TO
CONSIDER THE ADOPTION OF REGULATIONS FOR THE IMPLEMENTATION
AND ADMINISTRATION OF CHAPTER 14 ENTITLED, "COMMUNITY
PRESERVATION" OF THE RIVERHEAD TOWN CODE
(REAL ESTATE TRANSFER TAX)**

COUNCILMAN KWASNA

offered the following resolution, was seconded by

COUNCILMAN LULL :

RESOLVED, the Town Clerk be and is hereby authorized to publish the attached public notice to consider the adoption of regulations for the implementation and administration of Chapter 14 entitled, "Community Preservation" of the Riverhead Town Code once in the March 18, 1999 issue of the **News Review**, the newspaper hereby designated as the official newspaper for this purpose, and also to cause a copy of the proposed adoption to be posted on the sign board of the Town; and be it further

RESOLVED, that the Town Clerk be and is hereby directed to forward a copy of this resolution to the Riverhead Planning Department; the Office of the Town Attorney and Jack Hansen, Financial Administrator.

THE VOTE

Cardinale ☒ Yes ☐ No Kent ☒ Yes ☐ No
Kwasna ☒ Yes ☐ No Lull ☒ Yes ☐ No
Vilella ☒ Yes ☐ No

THE RESOLUTION WAS ☒ WAS NOT ☐
THEREUPON DULY DECLARED ADOPTED

**TOWN OF RIVERHEAD
PUBLIC NOTICE**

PLEASE TAKE NOTICE that a public hearing will be held before the Town Board of the Town of Riverhead at 200 Howell Avenue, Riverhead, New York on the 29th day of March, 1999 at 10:00 o'clock a.m. to consider the adoption of regulations for the implementation and administration of Chapter 14 entitled, "Community Preservation" (Real Estate Transfer Tax) of the Riverhead Town Code.

A copy of the entire text of the proposed adoption may be reviewed at the Office of the Town Clerk, 200 Howell Avenue, Riverhead, New York between the hours of 8:30 a.m. and 4:30 p.m., Monday through Friday.

Dated: Riverhead, New York
March 16, 1999

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

BARBARA GRATTAN, Town Clerk

DRAFT

[DRAFT]

REVISED 2/17/99

PECONIC BAY REGION
COMMUNITY PRESERVATION FUND

REAL ESTATE TRANSFER TAX

RULES AND REGULATIONS

EFFECTIVE: APRIL 1, 1999

BY

THE TOWN BOARD OF THE TOWN OF

PURSUANT TO

CHAPTER 114 OF THE LAWS OF 1998

AND

THE MUNICIPAL HOME RULE LAW

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CHAPTER 100 - REAL ESTATE TRANSFER TAX

SECTION 100.1 DEFINITIONS

As used in this chapter, unless otherwise expressly stated, the terms set forth in this section are defined as follows:

(a) CONSIDERATION - shall mean the price actually paid or required to be paid for the real property or interest therein, including payment for an option or contract to purchase real property, whether or not expressed in the deed and whether paid or required to be paid by money, property, or any other thing of value. It shall include the cancellation or discharge of an indebtedness or obligation. It shall also include the amount of any mortgage, purchase money mortgage, lien or other encumbrance, whether or not the underlying indebtedness is assumed or taken subject to.

(1) In the case of the creation of a leasehold interest or the granting of an option with use and occupancy of real property, consideration shall include, but not be limited to, the value of the rental and other payments attributable to the use and occupancy of the real property or interest therein, the value of any amount paid for an option to purchase or renew, and the value of rental or other payments attributable to the exercise of any option to renew.

(2) In the case of the creation of a subleasehold interest, consideration shall include, but not be limited to, the value of the sublease rental payments attributable to the use and occupancy of the real property, the value of any amount paid for an option to renew, and the value of rental or other payments attributable to the exercise of any option to renew, less the value of the remaining prime lease rental payments required to be made.

(3) In the case of a controlling interest in any entity that owns real property, consideration shall mean the fair market value of the real property or interest therein,

the numerator of which shall be the number of shares of stock being conveyed in the cooperative housing corporation in connection with the grant or transfer of a proprietary leasehold and the denominator of which shall be the total number of shares of stock in the cooperative housing corporation.

(6) When a grantor agrees to extend the closing date of the contract in return for an additional sum of money, the additional sum of money is included as consideration unless the following criteria are met:

(I.) The agreement between the grantor and grantee must state that the payment is for the time delay.

(ii) The amount of money must be reasonable for the length of delay.

(b) CONTROLLING INTEREST - shall mean (I.) in the case of a corporation, either fifty percent (50%) or more of the total combined voting power of all classes of stock of such corporation, or fifty percent (50%) or more of the capital, profits, or beneficial interest in such voting stock of such corporation, and, (ii.) in the case of a partnership, association, trust, or other entity, fifty percent (50%) or more of the capital, profits, or beneficial interest in such partnership, association, trust or other entity.

(c) CONVEYANCE - shall mean the transfer or transfers of any interest in real property by any method including but not limited to sale, exchange, assignment, surrender, mortgage foreclosure, transfer in lieu of foreclosure, option, trust indenture, taking by eminent domain, conveyance upon liquidation or by a receiver, or transfer or acquisition of a controlling interest in any entity with an interest in real property. Transfer of an interest in real property shall include the creation of a leasehold or sublease only where (I.) the sum of the term of the lease or sublease and any options for renewal exceeds forty-nine (49) years, (ii.) substantial capital improvements are or may be made by or for the benefit of the lessee or sublessee, and (iii.) the lease or sublease is for substantially all of the premises constituting the real property. Notwithstanding the

- 1 (I) REAL PROPERTY - shall mean every estate or right, legal or
2 equitable, present or future, vested or contingent, in lands,
3 tenements or hereditaments, including buildings, structures
4 and other improvements thereon, which are located in whole or
5 in part within the Town. It shall not include rights to
6 sepulture.
7
- 8 (j) RECORDING OFFICER - shall mean the County Clerk of the County
9 of Suffolk.
10
- 11 (k) TOWN - shall mean the Town of East Hampton.
12
- 13 (l) TOWN SUPERVISOR - shall mean the Town Supervisor of the Town
14 of East Hampton.
15
- 16 (m) TREASURER (COUNTY TREASURER) - shall mean the Treasurer of the
17 County of Suffolk.
18
- 19 (n) IMPROVED REAL PROPERTY - shall mean a lot improved with a
20 principal building or a principal use. Pursuant to the
21 Property Type Classification Code, promulgated by the New York
22 State Office of Real Property Services,, all lots included
23 within the 100, 200, 400, 500, 600, 700, 800, and 900
24 categories within said classification system shall be defined
25 as "improved" for the purposes of this Chapter. To be
26 considered "improved" pursuant to this Chapter, a principal
27 building shall be habitable. It shall be presumed that the
28 category for a particular lot shall be as shown on the most
29 recent tax roll approved by the town.
30
- 31 (o) UNIMPROVED REAL PROPERTY - shall mean a lot with no principal
32 building or use. Pursuant to the Property Type classification
33 Code, promulgated by the New York State Office of Real
34 property Services, all lots included within the 300 category
35 within said classification system shall be defined as
36 "unimproved" for the purposes of this chapter. It shall be
37 presumed that the category for a particular lot shall be as
38 shown on the most recent tax roll approved by the town.
39
- 40 (p) FAIR MARKET VALUE - shall mean the amount that a willing buyer
41 would pay a willing seller for real property. It is generally
42 determined by an appraisal based upon the value of the real
43 property at the time of conveyance. It is not net fair market

1 confirmed by independent evidence such as the recording of
2 the contract, payment of a deposit, a notarized contract, or
3 the taxpayer has engaged in other actions such as seeking a
4 zoning approval or obtaining an environmental impact
5 statement, or such other facts and circumstances as may be
6 determined by the Treasurer.

7
8 (b) Where a contract for the conveyance of real property was
9 entered into before April 1, 1999, and is later amended, the
10 conveyance is still considered to be made pursuant to a
11 contract entered into before April 1, 1999, so long as the
12 amendment to the contract is of a nonsubstantial nature. The
13 determination of what constitutes a nonsubstantial change will
14 be made on a case by case basis. However, any change in the
15 amount of consideration for the real property will be
16 considered a substantial change to the contract and, thus,
17 such conveyance is taxable.

18
19 (c) Where the closing date provided for in a grandfathered
20 contract is postponed, with additional payments by the
21 grantee, the conveyance will be considered to be made pursuant
22 to a contract entered into before April 1, 1999 if it is shown
23 that the additional payments do not constitute additional
24 consideration. (See section 100.1[a][6] of this chapter.

25
26 Example 1: A, the owner of real property, executed a
27 binding written contract on February 1, 1999 to lease the
28 property with an option to purchase to B for \$1,000 a
29 month for ten years. B paid \$1,000 as a deposit on the
30 lease on that date. The final closing of the transaction
31 occurred on July 10, 1999. The creation of the lease
32 with the option to purchase is a grandfathered conveyance
33 which is not subject to tax since it was made pursuant
34 to a binding written contract entered into before April
35 1, 1999, and the date of the execution of the contract
36 was confirmed by independent evidence (payment of the
37 deposit by B).

38
39 Example 2: Same facts as in example 1 except that on May
40 1, 1999 the contract was amended to provide that B would
41 pay \$500 semi-monthly instead of \$1,000 monthly. This
42 amendment is considered to be of a nonsubstantial nature
43 and, therefore, the conveyance is still considered to be

1 grantor selling or grantee buying without regard to the
2 identity of the other grantors or grantees, then the transfers
3 or acquisitions will be treated as separate transfers or
4 acquisitions. The grantors or grantees may be required to
5 provide a sworn statement that their transfers or acquisitions
6 are independent of each other. Factors that will indicate
7 whether persons are acting in concert include the following:
8

9 (I) The transfers or acquisitions are closely related
10 in time.

11
12 (ii) There are few grantors or grantees.

13
14 (iii) The contracts of sale contain mutual terms.

15
16 (iv) The grantors or grantees have entered into an
17 agreement in addition to the sales contract binding
18 themselves to a course of action with respect to the
19 transfer or acquisition.
20

21 Example 1: A owns 100 percent of X corporation, the only
22 asset of which is real property. B, C, D, and E as a
23 group, negotiate to buy all of A's interest with B, C, D,
24 and E each buying 25 percent of A's interest. The
25 contracts of B, C, D and E are identical and the purchases
26 are to occur simultaneously. B, C, D and E have also
27 negotiated an agreement binding themselves to a course
28 of action with respect to the acquisition of X
29 corporation and the terms of a shareholders agreement
30 which would govern their relationship as owners of X
31 corporation. The acquisitions by B, C, D and E would be
32 treated as a single acquisition which is subject to the
33 real estate transfer tax.
34

35 Example 2: Corporation X has 2 stockholders. Individual
36 A owns 90 shares of stock (90 percent) and individual B
37 owns 10 shares of stock (10 percent). Corporation X owns
38 60 percent of the stock of corporation Y, which owns real
39 property. Individual A, by virtue of owning 90 percent
40 of the stock of corporation X, has a 54 percent interest
41 in corporation Y (90 percent interest in corporation X
42 multiplied by the 60 percent interest corporation X has
43 in corporation Y equals the 54 percent interest

1 treasurer. (See section 100.4 of this Chapter.)

2
3 (d) Where there is a transfer or acquisition of an interest in an
4 entity that has an interest in real property, on or after
5 April 1, 1999, and subsequently there is a transfer or
6 acquisition of an additional interest or interests in the same
7 entity, the transfers or acquisitions will be added together
8 to determine if a transfer or acquisition of a controlling
9 interest has occurred. Where there is a transfer or
10 acquisition of a controlling interest in an entity on or after
11 April 1, 1999 and the real estate transfer tax is paid on that
12 transfer or acquisition and there is a subsequent transfer or
13 acquisition of an additional interest in the same entity, it
14 is considered that a second transfer or acquisition of a
15 controlling interest has occurred which is subject to the real
16 estate transfer tax. No transfer or acquisition of an
17 interest in an entity that has an interest in real property
18 will be added to another transfer or acquisition of an
19 interest in the same entity if they occur more than three
20 years apart, unless the transfers or acquisitions were so
21 timed as part of a plan to avoid the real estate transfer tax.
22 An example of this would be if a shareholder acquired 40
23 percent of the stock in a corporation, and simultaneously
24 contracted for the purchase of 20 percent in three years and
25 one day.

26
27 (e) The tax is only imposed once when there is both a transfer and
28 an acquisition of a controlling interest in the same
29 conveyance.
30
31

32 SECTION 100.6 LEASES AND SUBLEASES.

33
34 (a) Creation of a taxable lease or sublease not coupled with an
35 option to purchase. The creation of a lease or sublease is a
36 conveyance subject to tax only where:

37
38 (1) the sum of the term of the lease or sublease and any
39 options for renewal exceeds 49 years; and

40
41 (2) substantial capital improvements are or may be made by
42 or for the benefit of the lessee or sublessee; and
43

1 of the federal long-term rate is appropriate in his or her
2 particular circumstances; and

3
4 (ii) that using a discount rate equal to 110 percent of the
5 federal long-term rate results in the computation of
6 consideration which exceeds the fair market value of the real
7 property subject to the lease or sublease, the department will
8 allow the use of a discount rate that results in a computation
9 of consideration that is equal to the fair market value of
10 such real property. The discount rate is applied to net
11 rents. Net rents means the amount by which gross rents exceed
12 the lessor's or sublessor's operating costs. Such operating
13 costs include amounts paid for heat and gas, electricity,
14 furnishings, insurance, maintenance, management and real
15 estate taxes.

16
17 (3) When net rents are tied to unknown factors, a reasonable
18 estimate thereof must be made by the taxpayer. Such estimate
19 shall reflect the probability that an amount of income will
20 be received or expense incurred, as well as the factors
21 affecting the range on contingent amounts.

22
23 (4) Operating expenses paid directly to third parties by the
24 lessee or sublessee, for example, under a net lease, are not
25 included in gross rents, nor are they deductible as operating
26 costs.

27
28 (5) If the lease specifies that the lessor will pay a fixed
29 amount of operating expenses, the lessor may deduct such
30 amount from gross rents in computing net rents. If there is
31 no itemization of the operating costs paid by the lessor and,
32 according to the terms of the lease, the lessor must pay such
33 costs, the lessor may make a reasonable estimate of such costs
34 in accordance with subdivision (b) (3) of this section. If the
35 lessor pays one or more of the following operating costs and
36 (i) there is no itemization in the lease for such costs and
37 (ii) no reasonable estimate is made, then the following
38 percentages of gross rentals will be presumed attributable to
39 the following costs:

40
41 Heat and gas 15 percent
42 Electricity 5 percent
43 Furnishings 5 percent

(1) An option to purchase real property is an interest in real property. Where an option to purchase real property is coupled with the granting of the right to use and occupancy of the real property, a conveyance subject to the transfer tax has occurred. Therefore, the creation of a lease coupled with the granting of an option to purchase the real property, regardless of the term of the lease, is a conveyance subject to the transfer tax.

(2) In the case of the creation of a lease for less than 49 years, coupled with the granting of an option to purchase, the consideration is the present value of the net rental payments under the lease plus the consideration paid for the granting of the option to purchase. Rental payments for periods that occur after the last date that the property may be purchased, if the option is exercised, are not included in the calculation of the present value of the rental payments.

Example: A, as lessor, creates a lease of a building with B as lessee. The term of the lease is 20 years. The lease contains an option to purchase the building which is exercisable through the tenth year of the lease. If the option is exercised, the lease provides that the property will be transferred to B not later than 6 months after the option is exercised. B paid \$10,000 specifically for the granting of the option. Since this is the granting of an option with use and occupancy, the transaction is subject to the transfer tax. The consideration used to compute the tax would be the present value of the net rental payments to be received from the effective date of the lease through the expiration of the first ten years and six months of the lease, which is the period during which the property may be purchased pursuant to the option to purchase, plus the \$10,000 paid for the granting of the option.

(d) Assignments and surrenders of leases, options and contracts.

(1) An interest in real property includes a leasehold interest or an option or contract to purchase real property. Therefore, the transfer of a leasehold interest, regardless of the term, or the transfer of an option or contract to purchase real property, by assignment or surrender, is a conveyance subject to tax.

1 occupancy of the property, to B for \$100,000. The assignment
2 of the contract is subject to tax.

3
4
5 SECTION 100.7 COOPERATIVE HOUSING CORPORATION TRANSFERS.

6
7 (a) Notwithstanding the definition of a controlling interest
8 contained in section 100.1(b) of this chapter or anything to the
9 contrary contained in section 100.1 of this Part, the real estate
10 transfer tax applies to:

11
12
13 (1) the original conveyance of shares of stock in a
14 cooperative housing corporation in connection with the grant
15 or transfer of a proprietary leasehold by the cooperative
16 housing corporation or cooperative plan sponsor; and

17
18 (2) the subsequent conveyance of such stock in a cooperative
19 housing corporation in connection with the grant or transfer
20 of a proprietary leasehold by the owner thereof.

21
22 (b) Transfers of shares in a cooperative housing corporation
23 pursuant to contracts dated before April 1, 1999. Transfers of
24 cooperative shares pursuant to a binding written contract (e.g. a
25 written agreement to purchase shares) entered into before April
26 1, 1999 are not subject to tax. The fact that the real property
27 (the building containing the cooperative units) was transferred
28 before April 1, 1999 or that the contract to transfer such property
29 was entered into prior to such date is irrelevant for purposes of
30 determining if the transfer of shares in a cooperative corporation
31 are subject to tax. Also, the transfer of the real property to the
32 cooperative housing corporation is subject to tax whether or not
33 the transfer occurred pursuant to a binding written contract
34 entered into on or before April 1, 1999.

35
36 Example: The sponsor of a cooperative housing corporation
37 transferred a building containing ten apartments to the
38 cooperative corporation on January 30, 1999, and took back 100
39 shares of cooperative stock (the unsold shares as of the date
40 of transfer to the cooperative housing corporation). As of
41 February 1, 1999, the sponsor had entered into subscription
42 agreements for 50 shares in connection with the granting or
43 proprietary leases to five apartments. On May 1, 1999 the

the date of the conveyance of the building to C, the partnership sold shares of stock relative to two of the apartments (10 shares) which were transferred directly from C to the unit purchasers, and the partnership took back the remaining 40 unsold shares. The transfer of the building to C is considered to constitute a 100 percent mere change of identity with no change in beneficial interest, since the 10 shares sold are considered to be first taken back by the partnership and then sold to the unit purchasers. Therefore, the credit available when the partnership sells share of C is \$5,000. (100 percent x \$5,000.)

(d) Information return. Every cooperative housing corporation must file an information return with the Treasurer by July 15th of each year covering the preceding period of January 1st through June 30th and by January 15th of each year covering the preceding period of July 1st through December 31st. The first information return is due by January 15, 2000 for the period of April 1, 1999 to December 31, 1999. The return shall contain such information regarding the conveyance of shares of stock in the cooperative housing corporation as the treasurer may deem necessary, including but not limited to, the names, addresses and employer identification numbers or social security numbers of the grantor and grantee, the number of shares conveyed, the date of the conveyance and the consideration paid for such conveyance.

SECTION 100.8 EXEMPTIONS AND NON-TAXABLE TRANSACTIONS.

(a) The following shall be exempt from the payment of the real estate transfer tax:

(1) The state of New York, or any of its agencies, instrumentalities, political subdivisions, or public corporations (including a public corporation created pursuant to an agreement or compact with another state or Dominion of Canada); and

(2) The United Nations, the United States of America or any of its agencies or instrumentalities.

(b) The tax shall not apply to any of the following conveyances:

1 has determined that the restrictions imposed prohibit the use
2 of the property for any purpose except agriculture,
3 recreation, or conservation in order to comply with this
4 paragraph:

5
6 (i) agricultural, conservation, scenic or an open space
7 easement,

8
9 (ii) covenants or restrictions prohibiting development,

10
11 (iii) a purchase of development rights agreement,

12
13 (iv) a transfer of development rights agreement, where
14 the property being conveyed has had its development
15 rights removed,

16
17 (v) said real property is subject to the development
18 restriction of an agricultural district or individual
19 commitment, pursuant to article twenty-five AA of the
20 agriculture and markets law,

21
22 (vi) real property subject to any town adopted land
23 preservation agreement;

24
25 (11) Conveyances of real property, where the property is
26 viable agricultural land as defined in subdivision seven of
27 section three hundred one of the agriculture and markets law
28 and the entire property to be conveyed is to be made subject
29 to one of the development restrictions provided for in
30 subparagraph two of paragraph (10) of this subdivision
31 provided that said development restriction precludes the
32 conversion of the property to a non-agricultural use for a
33 least three years from the date of transfer, and said
34 development restriction is evidenced by an easement,
35 agreement, or other suitable instrument which is to be
36 conveyed to the town simultaneously with the conveyance of the
37 real property; or

38
39 (12) Conveyances of real property for open space, parks, or
40 historic preservation purposes to any not-for-profit tax
41 exempt corporation operated for conservation, environmental
42 or historic preservation purposes.

1 consideration.

2
3 Example 8. A sells his vacant lot to B for \$125,000. The
4 first \$100,000 of consideration is exempt under Section
5 100.8(c). Thus, the tax paid at a rate of 2% on the remaining
6 \$25,000 of consideration is \$500.

7
8 Example 9. Same as Example 8, except the consideration is
9 \$75,000. No tax is due since the exemption exceeds the
10 consideration.

11
12 Example 10. Same as Example 8 with consideration of \$125,000,
13 except the land is improved with a shed and a fence. The
14 transaction is taxable, since neither a shed or a fence is a
15 principal building or use.

16
17
18 SECTION 100.9 MERE CHANGE OF IDENTITY.

19
20 To the extent that a conveyance effectuates a mere change of
21 identity or form of ownership or organization and there is no
22 change in beneficial ownership, the real estate transfer tax does
23 not apply. Examples of transactions where the issue of change in
24 beneficial ownership would arise include the following:

25
26 (a) the conveyance by tenants-in-common of their interest in real
27 property to a partnership or a corporation, the partnership or
28 corporation interests being in the same pro rata shares as the
29 tenants-in-common held prior to conveyance. Such conveyance is not
30 taxable as there is no change in beneficial ownership;

31
32 (b) the conveyance by a corporation to its shareholders who will
33 hold the real property as tenants-in-common in the same pro rata
34 share as they own the corporation. Such conveyance is not taxable
35 as there is no change in beneficial ownership;

36
37 (c) the conveyance by a corporation to its wholly-owned
38 subsidiary, from a wholly-owned subsidiary to its parent, or from
39 one wholly-owned subsidiary to another. Such conveyance is not
40 taxable to the extent that there is no change in beneficial
41 ownership;

42
43 (d) the conveyance by a person to a partnership in exchange for

1 the mortgagee or lienor, or its agent, nominee or an
2 entity wholly owned by such mortgagee or lienor and the
3 amount of any other liens or encumbrances as described
4 in clause (I)(b) of this paragraph secures recourse debt
5 only, consideration includes, but is not limited to, the
6 sum of the amounts described in clauses (I)(a)-(c) of
7 this paragraph. Provided, however, where the sum of the
8 amounts described in such clauses (a) and (b) of such
9 subparagraph exceeds the fair market value of the real
10 property as of the date of conveyance, such consideration
11 shall be the fair market value of the real property plus
12 the amount described in such clause (c) of such
13 subparagraph as the aggregate amount of debt canceled,
14 assumed or taken subject to in connection with the
15 conveyance is limited to the fair market value of the
16 real property. For purposes of this subdivision, a debt
17 is recourse debt to the extent that, as of the date of
18 conveyance, the grantor or a person related to the
19 grantor including any guarantor, bears the economic risk
20 of loss for the debt beyond any loss attributable to the
21 value of the property securing the debt..

22
23 Example 1. Bank A made a nonrecourse loan of \$10 million to
24 individual X secured by a mortgage on New York State real
25 property owned by X. X also provided a personal recourse
26 guarantee of the last \$1 million of the debt, that is, if the
27 value of the mortgaged real property decreased to less than
28 \$10 million X would be obligated to pay the difference between
29 \$10 million and the value of the mortgaged real property to
30 Bank A up to a maximum amount of \$1 million. X defaulted on
31 the loan. The real property was conveyed to Bank A in lieu
32 of foreclosure and, at the time of the conveyance, the real
33 property had a fair market value of \$8 million. As a result
34 of the conveyance the \$9 million nonrecourse component of the
35 loan is discharged. Simultaneously, Bank A discharged X from
36 any obligation under the personal guarantee. The
37 consideration for the conveyance consists only of the \$9
38 million nonrecourse component of the loan that was discharged,
39 as no part of the excess \$1 million personal obligation can
40 be satisfied by the conveyance of the real property.

41
42 Example 2. Same facts as Example 1, except that instead of
43 the personal guarantee being on the last \$1 million, X

1 (2) the total amount of any other liens or
2 encumbrances remaining on the real property after
3 the conveyance, whether the underlying indebtedness
4 is assumed or taken subject to. Provided however,
5 in the case where the amounts described in clauses
6 (a) and (b) of this subparagraph involve recourse
7 debt only and the higher of such amounts exceeds
8 the fair market value of the real property at the
9 time of the conveyance, then the consideration is
10 equal to the fair market value of the real property
11 as of the date of conveyance, since the aggregate
12 amount of the debt canceled, assumed or taken
13 subject to in connection with the conveyance is
14 limited to the fair market value of the real
15 property.

16
17 (ii) Where a person unrelated to the mortgagee or the
18 lienor is the grantee and regardless of whether the debt
19 is recourse or nonrecourse, consideration includes, but
20 is not limited to the sum of:

21
22 (a) the amount of the bid price; and

23
24 (b) the total amount of any other liens or encumbrances
25 remaining on the real property after the conveyance,
26 whether the underlying indebtedness is assumed or taken
27 subject to. For the purposes of this paragraph and
28 paragraphs (2), (15) and (16) of this subdivision a
29 grantee is related to the mortgagee or lienor to the
30 extent that the mere change of identity or form of
31 ownership exemption would apply to a conveyance by the
32 mortgagee or lienor to the grantee.

33
34 (iii) Where the grantee is an entity beneficially owned
35 in part by the mortgagee or lienor and a person unrelated
36 to the mortgagee or lienor and the debt held by such
37 mortgagee or lienor is nonrecourse debt and any
38 continuing liens or encumbrances secure nonrecourse debt
39 only, consideration includes, but is not limited to, the
40 sum of clauses (a) and (b) of this subparagraph:

41
42 (a) the higher of the sum of the following multiplied
43 by the percentage which represents the mortgagee's or

1 or taken subject to in connection with the conveyance is
2 limited to the fair market value of the real property
3 multiplied by such percentage. (See subparagraph [2][ii]
4 of this subdivision for further information on recourse
5 debt.)
6

7 (4) A conveyance to a corporation in exchange for shares of
8 its capital stock is subject to tax to the extent that there
9 is a change in beneficial ownership.

10
11 (5) A conveyance by a corporation in liquidation or in
12 dissolution to its shareholders is subject to tax to the
13 extent that there is a change in beneficial ownership.

14
15 (6) A conveyance of standing timber and mines is subject to
16 tax.

17
18 (7) A conveyance by the United Nations, the United States of
19 America, the State of New York, or any of their agencies,
20 instrumentalities or political subdivisions is subject to tax
21 unless the grantee is another of such governmental
22 organizations or entities.

23
24 (8) A conveyance by a partner to the partnership as a
25 contribution of partnership assets is subject to tax to the
26 extent that there is a change in beneficial ownership.

27
28 (9) A conveyance of a perpetual easement, or an easement for
29 a term of years or part of a year except for conservation
30 easements exempt under Section 100.8(b)(10), is subject to
31 tax.

32
33 (10) A conveyance from one spouse to the other pursuant to the
34 terms of a divorce or separation agreement is subject to tax.
35 (there is a rebuttable presumption in such case that the
36 consideration for the conveyance, which includes the
37 relinquishment of marital rights, is equal to the fair market
38 value of the interest in the real property conveyed.)

39
40 (11) A conveyance to partners upon the termination and
41 liquidation of a partnership is subject to tax to the extent
42 that there is a change in beneficial ownership.
43

1 (b) the total amount of any other liens, security
2 interests or other obligations remaining on the shares
3 of stock in the cooperative housing corporation and/or
4 associated proprietary lease(s) after the conveyance,
5 whether the underlying indebtedness is assumed or taken
6 subject to ;
7

8 (c) a pro rata portion of the total amount of any other
9 liens or encumbrances that remain on the real property
10 of the cooperative housing corporation after the
11 conveyance. However, see section 100.1(a)(5) of this
12 Part for information on the treatment of liens or
13 encumbrances on the real property of the cooperative
14 housing corporation; and
15

16 (d) any other amount paid by the grantee for the real
17 property. This amount shall not include any state or
18 local transfer taxes paid by the grantee in connection
19 with the conveyance, provided that the grantee has not
20 contractually assumed the liability for the payment of
21 such taxes or has not released its right to seek recovery
22 of the payment from the grantor.
23

24 (ii) Consideration in the case of recourse debt, where
25 the grantee is the secured party, or its agent, nominee
26 or an entity wholly owned by such secured party, includes
27 but is not limited to the sum of the amounts described
28 in clauses (I) (a) - ~~(d)~~ of this paragraph. Provided
29 however, where the sum of the amount described in clauses
30 (a) and (b) of such subparagraph exceeds the fair market
31 value of the shares of stock in the cooperative housing
32 corporation and/or associated proprietary lease(s) as of
33 the date of the conveyance, consideration shall be the
34 fair market value of the shares of stock in the
35 cooperative housing corporation and/or associated
36 proprietary lease(s) being conveyed, plus the amounts
37 described in such clauses (c) and (d) of such
38 subparagraph. (See subparagraph [2][ii] of this
39 subdivision for further information on recourse debt.)
40

41 Example 1. A is the owner of 30 shares of stock in a
42 cooperative housing corporation related to a proprietary
43 lease of a commercial unit. The 30 shares represent five

1 for such conveyances, where the grantee is the secured party,
2 or its agent, nominee or an entity wholly owned by such
3 secured party, regardless of whether the debt is recourse or
4 nonrecourse, is the lesser of the following:

5
6 (I) the fair market value of the real property as of the
7 date of conveyance multiplied by the percentage in the
8 entity being transferred or acquired; or

9
10 (ii) the sum which includes, but is not limited to, the
11 following:

12
13 (a) a reasonable apportionment to the interests in real
14 property owned by the entity of the unpaid balance of the
15 debt secured by the ownership interest in the entity;

16
17 (b) a reasonable apportionment to the interests in real
18 property owned by the entity of the amount of any liens,
19 security interests or other obligations remaining on the
20 ownership interest in the entity after the conveyance,
21 whether the underlying indebtedness is assumed or taken
22 subject to;

23
24 (c) a reasonable apportionment to the interests in real
25 property owned by the entity of the amount of any liens
26 or encumbrances remaining on the real property of the
27 entity multiplied by the percentage in the entity being
28 transferred or acquired;

29
30 (d) a reasonable apportionment to the interests in real
31 property owned by the entity of the amount of any other
32 debt or obligation of the entity multiplied by the
33 percentage in the entity being transferred or acquired;
34 and

35
36 (e) a reasonable apportionment to the interests in real
37 property owned by the entity of any other amount paid by
38 the grantee for the conveyance. Such amount shall not
39 include any state or local transfer taxes paid by the
40 grantee in connection with the conveyance, provided that
41 the grantee has not contractually assumed the liability
42 for the payment of such taxes or has not released its
43 right to seek recovery of the payment from the grantor.

voting stock of S results in both a transfer and an acquisition of a controlling interest. The consideration for the conveyance is computed as follows:

(a) Unpaid balance of debt	\$550,000
Part of mortgage indebtedness includable in amount to be apportioned (\$700,000 x 60%)	420,000
Part of other debt of entity includable in amount to be apportioned (300,000 x 60%)	+180,000
Amount to be apportioned	\$1,150,000

Reasonable apportionment based on fair market value of assets owned by K Corporation:

$\$1,150,000 \times (\$2,100,000 / \$2,400,000) = \$1,006,250$

b) FMV of real property -- $\$2,100,000 \times 60\% =$
 $\$1,260,000$

The amount computed in (a) (\$1,006,250) is the consideration for the conveyance as it is less than the amount computed in (b) (\$1,260,000).

(b) The following are examples of conveyances which are not subject to the real estate transfer tax.

(1) A conveyance of real property by the beneficiary of the industrial development agency (IDA) financing to the IDA, in connection with the receipt of such financing is not subject to tax.

(2) A conveyance of real property by the IDA, as grantor, to the beneficiary of the IDA financing, as grantee is subject to tax.

1 portion of the property situated within East Hampton was
2 not specified in the contract of sale or in a written
3 agreement signed by both A and B. B pays A \$500,000
4 consideration for the property. An appraisal of the
5 property, made just prior to the sale, indicates that the
6 total fair market value of the property is \$500,000 and
7 that the fair market value of the portion of the property
8 situated within East Hampton is \$250,000. The amount of
9 the consideration used to compute the tax is \$250,000.

10
11 Example 2: Assume the same facts as example 1 except
12 that the appraisal indicates that the total fair market
13 value of the property is \$750,000 and the fair market
14 value of the portion of the property situated within East
15 Hampton is \$375,000. The amount of consideration used
16 to compute the tax is determined by multiplying the
17 amount of consideration paid by B (\$500,000) by 50
18 percent. Fifty (50) percent equals the fair market value
19 of the property situated within East Hampton (\$375,000)
20 divided by the total fair market value of the property
21 (\$750,000). The amount of consideration used to compute
22 the tax is \$250,000.

23
24 Example 3: Corporation A owns property which is situated
25 partly within East Hampton and partly within Southampton.
26 This is the only asset of corporation A. One hundred
27 percent of the stock of corporation A is sold to
28 corporation B for \$300,000. Since a controlling interest
29 in corporation A was transferred to corporation B, there
30 was a taxable conveyance of the real property owned by
31 corporation A to corporation B. An appraisal of the real
32 property indicates that the total fair market value of
33 the property is \$250,000 and that the fair market value
34 of the property situated within East Hampton is \$200,000.
35 The amount of consideration used to compute the tax is
36 \$200,000. The appraised fair market value is used rather
37 than an allocated portion of the amount paid for the
38 stock.

39
40 (c) Where the methods provided under this section do not allocated
41 the consideration in a fair and equitable manner, the Treasurer may
42 require a grantor and grantee to allocate the consideration under
43 such method as he prescribes, as long as the prescribed method

1 The return must be made on a form prescribed by the
2 Treasurer.

3
4 (2) The filing of a joint return by the grantor and
5 grantee as described in paragraph (1) of this subdivision
6 is not required for a conveyance of an easement, or
7 license to a public utility as defined in subdivision 2
8 of section 186-a of the Tax Law, if each of the following
9 conditions are met:

10
11 (I) the consideration for the easement or
12 license is \$2 or less; and

13
14 (ii) such consideration is clearly stated in
15 the instrument of conveyance.

16
17 (b) Except as provided in paragraph (a) (2) of this section, if a
18 conveyance is to be recorded, the return must be filed with the
19 recording officer. The recording officer cannot record a
20 conveyance unless the transfer tax return has been filed and any
21 tax due has been paid. The recording officer is authorized to
22 collect the tax and accept returns only in those cases where an
23 instrument effecting a conveyance of real property is presented for
24 recording. The recording officer must indicate the amount of tax
25 paid on the return and on the instrument presented for recording.
26 If a conveyance is not recorded, or if the conveyance will be
27 recorded after the time has expired for paying the tax, the tax
28 return, together with any tax due, must be filed with the
29 Treasurer at the time indicated in subdivision (c) of this section.
30 Upon receiving the return and any tax due, the Treasurer will issue
31 upon request, a receipt to the person filing the return evidencing
32 the filing of the return and the payment of tax. For purposes of
33 recording the instrument effecting the conveyance the recording
34 officer shall handle such receipt in the same manner as a return
35 filed with the recording officer.

36
37 (c) The return is due and the tax must be paid not later than the
38 15th day after the date on which the instrument effecting the
39 conveyance is delivered by the grantor to the grantee. For
40 purposes of this Part, the date of the instrument is presumed to
41 be the date of the delivery of the instrument. This presumption
42 may be rebutted by the person liable for payment of the tax.

1 the Town to levy, appraise, assess, determine or enforce the
2 collection of any tax or penalty provided by Article 31-D of the
3 Tax Law and Local law No. of 1998. No determination of tax due
4 shall be made after the expiration of more than three years from
5 the date of the filing of a return; provided however, that where
6 no return has been filed as provided by law or in the case of a
7 willfully false or fraudulent return, the tax may be assessed at
8 any time.

9

10 (c) Where, before the expiration of the period prescribed for the
11 determination of tax due, a taxpayer has consented in writing that
12 such period be extended, the amount of any tax due may be
13 determined at any time within such extended period. The period so
14 extended may be further extended by subsequent consents in writing
15 made before the expiration of the extended period.

16

17 (d) The notice of determination finally and irrevocably fixes the
18 tax unless:

19

20 (1) The person assessed petitions the Town Supervisor
21 for a hearing within 90 days from the date of the notice;

22 or

23 (2) The Treasurer redetermines the amount of tax due.
24 In any case before the Town Supervisor, the burden of
25 proof is on the petitioner. After a hearing has been
26 held, the Town Supervisor shall provide copies of the
27 determination to the petitioner and to the Treasurer.

28

29 (e) Before the petitioner can initiate a proceeding for judicial
30 review, the petitioner must first deposit the tax, penalties and
31 interest due with the department and also file with the Treasurer
32 an undertaking in such amount and with such sureties as a justice
33 of the Supreme Court shall approve, to the effect that if such
34 proceeding is dismissed or the tax confirmed, the petitioner will
35 pay all costs and charges which may accrue in the prosecution of
36 the proceeding. At the option of the petitioner, such undertaking
37 filed with the Treasurer may be in a sum sufficient to cover the
38 taxes, penalties and interest thereon stated in such determination
39 plus the costs and charges which may accrue in the prosecution of
40 the proceeding, in which event the petitioner shall not be required
41 to deposit such taxes, penalties and interest as a condition
42 precedent to the application.

43

1 section. Tax, interest or penalty determined to be due by the
2 Treasurer may be refunded only if the determination is found to be
3 erroneous, illegal, unconstitutional or otherwise improper after
4 review by the Town Supervisor or in a proceeding under Article 78
5 of the Civil Practice Law and Rules.

6

7 (d) Interest amounting to one dollar or more shall be allowed upon
8 any refund. Interest at the overpayment rate shall be paid from the
9 date when the tax, penalty or interest refunded was paid to a date
10 preceding the date of the refund check by not more than thirty
11 days. For purposes of this subdivision, any tax paid before the
12 last day prescribed for its payment shall be deemed to have been
13 paid on such last day.

14

15 (e) All claims for refund must be filed with the County Treasurer.

16

17

18 SECTION 100.16 REMEDIES EXCLUSIVE.

19

20 The remedies provided by sections of this chapter are the exclusive
21 remedies available to any person for the review of tax liability
22 imposed by Article 31-D of the Tax Law. No determination or
23 proposed determination of tax or determination on any application
24 for refund may be enjoined or reviewed by any action for
25 declaratory judgment, an action for money had and received, or by
26 any action or proceeding other than a proceeding under Article 78
27 of the Civil Practice Law and Rules.

28

29

30 SECTION 100.17 LIABILITY OF RECORDING OFFICER.

31

32 A recording officer, or any other person designated to act as an
33 agent, is not liable for any inaccuracy in the amount of tax
34 collected so long as the tax is computed and collected on the
35 amount of consideration, or the value of the interest conveyed, as
36 stated on the return required to be filed pursuant to this Chapter.

37

38

39 SECTION 100.18 INTEREST AND CIVIL PENALTIES

40

41 (a) If it is determined that there has been an underpayment of
42 tax, interest is due at the underpayment rate on the amount of tax
43 not paid. If any amount of tax is not paid on or before the last

1 tax due may be required to be affirmatively shown in a written
2 statement made by the person liable for the penalty and interest
3 penalty. Where such person is unable to provide the statement
4 described in this subdivision or does not have a personal knowledge
5 of the facts, a showing of reasonable cause may be made on behalf
6 of the person by an individual with a personal knowledge of the
7 facts. In determining whether reasonable cause exists, in addition
8 to an evaluation of the facts, such person's previous compliance
9 record with respect to all of the taxes imposed pursuant ow the Tax
10 Law may be taken into account.

11
12 (c) The following exemplify grounds for reasonable cause, where
13 clearly established by the person liable for the penalty and
14 interest penalty or established on such person's behalf;

15
16 (1) The death or serious illness of such person or any
17 other person acting in a fiduciary or representative
18 capacity for such person, or such person's unavoidable
19 absence from the usual place of business, which precluded
20 timely compliance, may constitute reasonable cause
21 provided that:

22
23 (I) in the case of the failure to^f file any
24 return, the applicable return is filed; or

25
26 (ii) in the case of the failure to pay any
27 tax, such amount is paid;

28
29 within a justifiable period of time after death, illness
30 or absence. A justifiable period of time is that period
31 which is substantiated by such person or such person
32 acting in a fiduciary or representative capacity as a
33 reasonable period of time for filing the return and/or
34 paying any tax based on the facts and circumstances in
35 each case.

36
37 (2) The destruction of such person's place of business
38 or business records or the destruction of the place of
39 business or business records of any other person acting
40 in a fiduciary or representative capacity for such person
41 with respect to the conveyance by a fire or other
42 documented casualty, which precluded timely compliance
43 to file a return or to pay the tax due, may constitute

1 entire tax due on or before the 15th day following the
2 date of conveyance.

3
4 (5) Any other cause for delinquency which would appear
5 to a person of ordinary prudence and intelligence as a
6 reasonable cause for delay and which clearly indicates
7 an absence of willful neglect may be determined to be
8 reasonable cause. Ignorance of the law, however, will
9 not be considered as a basis for reasonable cause.

10
11
12 SECTION 100.20 SATURDAYS, SUNDAYS AND LEGAL HOLIDAYS.

13
14 When the last day prescribed (including the last day covered by an
15 extension of time) for filing a document, making a payment or
16 performing any acts falls on a Saturday, Sunday or a day which is
17 a legal holiday in the State of New York, the performance of such
18 acts will be considered timely if performed on the next succeeding
19 day which is not a Saturday, Sunday or legal holiday.

Adopted

March 2, 1999

TOWN OF RIVERHEAD

Resolution # 250

APPROVES SITE PLAN OF HUNTER INSULATION

COUNCILMAN LULL

_____ offered the following resolution,

which was seconded by **COUNCILMAN CARDINALE** _____:

WHEREAS, a site plan and elevations were submitted by Hunter Insulation, for site plan approval, located at 1165 East Main Street, Riverhead, New York, known and designated as Suffolk County Tax Map Number 0600-111-1-17; and

WHEREAS, the Planning Department has reviewed the site plan dated December 1, 1998, as prepared by James V. DeLucca, R.A., 12 Linda Lane East, Riverhead, NY 11901, and elevations dated November 8, 1998, as prepared by James V. DeLucca, R.A., 12 Linda Lane East, Riverhead, NY 11901, and has recommended to the Town Board of the Town of Riverhead that said site plan application be approved; and

WHEREAS, based upon the Town Board's review of the Environmental Assessment Form and the proceedings had herein, the Town Board determines that the site plan applied for will be a(n) Unlisted Action without a significant impact upon the environment pursuant to the State Environmental Conservation Law and 6 NYCRR Part 617; and

WHEREAS, a copy of the site plan has been marked and initialed by the Town Board to show changes that are further set forth in this resolution, which site plan shall be on record with the Town Clerk; and

WHEREAS, the site plan review fee, as required by Section 108-131 B(3) of the Code of the Town of Riverhead has been received and deposited as per Receipt Number 98-34107 of the Office of the Supervisor of the Town of Riverhead; and;

WHEREAS, this Town Board has reviewed the site plan and elevations aforementioned.

NOW, THEREFORE, BE IT

RESOLVED, that the site plan and elevations submitted by Hunter Insulation, for site plan approval, located at 1165 East Main Street, Riverhead, New York, site plan dated December 1, 1998, as prepared by James V. DeLucca, R.A., 12 Linda Lane East, Riverhead, NY 11901, and elevations dated November 8, 1998, as prepared by James V. DeLucca, R.A., 12 Linda Lane East, Riverhead, NY 11901, be and are hereby approved by the Town Board of the Town of Riverhead, subject to the following:

1. That the provisions of the **Riverhead Town Code**, which are not addressed by this resolution, or other official action of the Town shall, at all times, be complied with by the owner of the property covered by this site plan;
2. That a covenant containing all the limitations and provisions of these approvals contained in this resolution, in a form as attached, shall be recorded with the Suffolk County Clerk and a copy of such recorded covenant shall be filed with the Riverhead Town Clerk. This resolution shall not become effective until such covenant is duly recorded with the Suffolk County Clerk's Office and filed with the Riverhead Town Clerk;
3. That the form, design, location, and color of all signage shall be submitted to the Town Board for its review and approval pursuant to the site plan proves and the sign permit procedure prior to being installed at the property; that all signage so proposed shall be coordinated in appearance and design; and that all provisions of Section 108-56 of the **Riverhead Town Code** shall be complied with, and that all tenants shall be apprised of said requirements as well as those of Section 108-110.7 and any restrictions imposed as a condition of the site plan approval granted herein;
4. That no lighting shall be installed or adjusted in such a way as to cause direct glare on neighboring properties or adjoining highways;
5. That the applicant is familiar with the **Riverhead Town Code**, Chapter 96, entitled, "Trash, Rubbish and Refuse Disposal," and Chapter 98, prohibiting the accumulation of litter, and requiring the enclosure of dumpsters, and agrees to abide by same;
6. That receptacles of a decorative design, approved by the Planning Department prior to their installation at the site, shall be maintained on the premises;
7. That parking, paving and drainage shall be provided pursuant to specifications outlined in the **Riverhead Town Code**;
8. That the parking area shall be maintained pursuant to specifications outlined in the **Riverhead Town Code**;
9. That adequate parking for the handicapped, pursuant to State and Federal law and the Code of the Town of Riverhead, shall be provided and that each handicap stall shall be designated by an individual sign erected on a stanchion stating, "No Parking, Handicap Only," and the universal symbol affixed thereto. Further, by execution and filing of this document, Van Dyck & Yousik, Inc. hereby authorizes and consents to the Town of Riverhead to enter premises at 1165 East Main Street, Riverhead, New York, to enforce said handicapped parking regulations;
10. That any and all landscaped and paved areas shall be regularly maintained in an orderly and professional manner and kept free of weeds and litter; and that any planters, planter boxes, window boxes or other container plantings shall likewise be maintained on a year-round basis;

11. That all utilities shall be constructed underground;
12. That pursuant to Section 108-133I of the **Code of the Town of Riverhead**, the applicant, upon approval of a final site plan by this resolution and prior to the issuance of a building permit, shall post a performance bond or other equivalent security. The performance bond or other equivalent security assures the performance of all the conditions of the building permit in accordance with the site plan approval. The Supervisor, upon approval from the Town Attorney as to form, is hereby authorized to accept said performance bond or other security, which shall be filed with the Town Clerk subsequent to approval of the site plan herein. The building permit shall not be issued until the Town Clerk certifies that the performance bond or other security has been filed in the Office of the Town Clerk of the town of Riverhead. Said security shall be in full force and effect for the term of the building permit or any renewal thereof.
13. That the topsoil shall conform to the specifications of the New York State Department of Transportation in regard to pH, organic content, and gradation;
14. That all nursery stock and installation methods thereof shall meet the latest "American Standards for Nursery Stock," as published by the American Association of Nurserymen; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Hunter Insulation, the Riverhead Planning Department, Riverhead Building Department, and the Town Engineer.

DECLARATION AND COVENANTS

THIS DECLARATION, made the ____ day of _____,
 1998, made by _____ residing
 at _____, Declarant:

WITNESSETH:

WHEREAS, Declarant is the owner of certain real property situate in the Town of Riverhead, Suffolk County, New York, more particularly bounded and described as set forth in SCHEDULE "A" annexed hereto, as provided by Declarant; and

WHEREAS, for and in consideration of the granting of said site plan, the Town Board of the Town of Riverhead has deemed it to be in the best interests of the Town of Riverhead, and the owner and prospective owners of said parcel, that the within covenants and restrictions be imposed on said parcel, and as a condition of granting said site plan and said Town Board has required that the within Declaration be recorded in the Suffolk County Clerk's Office; and

WHEREAS, Declarant has considered the foregoing and determined that same will be in the best interest of the Declarant and subsequent owners of said parcel.

NOW, THEREFORE, THIS DECLARANT WITNESSETH:

That Declarant, for the purpose of carrying out the intentions above expressed, does hereby make known, admit, publish, covenant and agree that the said premises herein described shall hereafter be subject to the following covenants which shall run with the land, and shall be binding upon all purchasers and holders of said premises, their heirs, executors, legal representatives, distributees, successors and assigns, to wit:

1. That the provisions of the **Riverhead Town Code**, which are not addressed by this resolution, or other official action of the Town shall, at all times, be complied with by the owner of the property covered by this site plan;
2. That the form, design, location, and color of all signage shall be submitted to the Town Board for its review and approval pursuant to the site plan process and the sign permit procedure prior to being installed at the property; that all signage so proposed shall be coordinated in appearance and design; and that all provisions of Section 108-56 of the **Riverhead Town Code** shall be complied with, and that all tenants shall be apprised of said requirements as well as those of Section 108-110.7 and any restrictions imposed as a condition of the site plan approval granted herein;
3. That no lighting shall be installed or adjusted in such a way as to cause direct glare on neighboring properties or adjoining highways;

4. That the applicant is familiar with the **Riverhead Town Code**, Chapter 96, entitled , "Trash, Rubbish and Refuse Disposal," and Chapter 98, prohibiting the accumulation of litter, and requiring the enclosure of dumpsters, and agrees to abide by same;
5. That receptacles of a decorative design, approved by the Planning Department prior to their installation at the site, shall be maintained on the premises;
6. Parking, paving, and drainage shall be provided pursuant to specifications outlined in the **Riverhead Town Code**;
7. That the parking area shall be maintained pursuant to specifications outlined in the **Riverhead Town Code**;
8. That adequate parking for the handicapped, pursuant to State and Federal law and the Code of the Town of Riverhead, shall be provided and that each handicap stall shall be designated by an individual sign erected on a stanchion stating, "No Parking, Handicap Only," and the universal symbol affixed thereto. Further, by execution and filing of this document, _____ hereby authorizes and consents to the Town of Riverhead to enter premises at 1165 East Main Street, Riverhead, New York, to enforce said handicapped parking regulations;
9. That any and all landscaped and paved areas shall be regularly maintained in an orderly and professional manner and kept free of weeds and litter, and that any planters, planter boxes, window boxes, or other container plantings shall likewise be maintained on a year-round basis;
10. That all utilities shall be constructed underground;
11. That pursuant to Section 108-133I of the **Code of the Town of Riverhead**, the applicant, upon approval of a final site plan by this resolution and prior to the issuance of a building permit, shall pose a performance bond or other equivalent security. The performance bond or other security assures the performance of all the conditions of the building permit in accordance with the site plan approval. The Supervisor, upon approval from the Town Attorney as to form, is hereby authorized to accept said performance bond or other security, which shall be filed with the Town Clerk subsequent to approval of the site plan herein. The building permit shall not be issued until the town Clerk certifies that the performance bond or other security has been filed in the Office of the Town Clerk of the Town of Riverhead. Said security shall be in full force and effect for the term of the building permit or any renewal thereof;
12. That the topsoil shall conform to the specifications of the New York State Department of Transportation in regard to pH, organic content, and gradation;
13. That all nursery stock and installation methods thereof shall meet the latest "American Standards for Nursery Stock," as published by the American Association of Nurserymen;

Declarant has hereunto set his/her hand and seal the day and year above first written.

OWNER

STATE OF NEW YORK)

)ss.:

COUNTY OF SUFFOLK)

On the _____ day of _____, 1998, before me personally came _____ to me known and known to be the individual who executed the foregoing instrument; that (s)he is the owner of certain real property located at 1165 East Main Street, Riverhead, New York, the subject property of this Declaration and Covenant, and understands the content thereof; and that (s)he did swear to me that (s)he executed the same.

NOTARY PUBLIC

STATE OF NEW YORK)

ss.:

COUNTY OF SUFFOLK)

On this _____ day of _____, 1998, before me personally came _____, to me known, and known to me to be one of the members of the firm of _____, described in and who executed the foregoing instrument, and (s)he acknowledged to me that (s)he executed the same as and for the act and deed of said firm.

NOTARY PUBLIC

STATE OF NEW YORK)

ss.:

COUNTY OF SUFFOLK)

On the _____ day of _____, 1998, before me personally came _____ who, being sworn by me, did depose and say: that (s)he is the _____ of _____; that (s)he knows the seal of the corporation; that the seal affixed to this instrument is said seal; and that it was affixed by order of the Board of Directors of the Corporation.

NOTARY_____
PUBLIC

THE VOTE

Cardinale	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Kent	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Kwasna	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Lull	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Villafra	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No			

THE REC. ☒ NO NOT

THERE ☒ ADOPTED

RESOLUTION # 251 ABSTRACT #8-99 FEBRUARY 18, 1999 (TBM 3/2/99)				
COUNCILMAN KWASNA offered the following Resolution which was seconded by				
COUNCILMAN LULL				
FUND NAME		CD-2/16/99	CHECKRUN TOTALS	GRAND TOTALS
GENERAL TOWN	001	\$ 4,250,000.00	\$ 1,179,523.26	\$ 5,429,523.26
PARKING METER	002	\$ 9,000.00	\$ -	\$ 9,000.00
AMBULANCE	003	\$ 14,000.00	\$ -	\$ 14,000.00
POLICE ATHLETIC LEAGUE	004	\$ 7,000.00	\$ -	\$ 7,000.00
TEEN CENTER	005	\$ 10,000.00	\$ 75.00	\$ 10,075.00
RECREATION PROGRAM	006	\$ -	\$ 558.37	\$ 558.37
SR NUTRITION SITE COUNCIL	007	\$ -	\$ -	\$ -
D.A.R.E. PROGRAM FUND	008	\$ -	\$ -	\$ -
CHILD CARE CENTER BUILDING FUND	009	\$ 7,000.00	\$ 57.92	\$ 7,057.92
YOUTH COURT SCHOLARSHIP FUND	025	\$ 900.00	\$ -	\$ 900.00
SRS DAYCARE BUILDING FUND	027	\$ -	\$ -	\$ -
HIGHWAY	111	\$ 1,000,000.00	\$ 25,544.98	\$ 1,025,544.98
WATER	112	\$ 125,000.00	\$ 300,131.45	\$ 425,131.45
REPAIR & MAINTENANCE	113	\$ 145,000.00	\$ -	\$ 145,000.00
SEWER	114	\$ -	\$ 29,445.41	\$ 29,445.41
REFUSE & GARBAGE COLLECTION	115	\$ -	\$ 182,174.74	\$ 182,174.74
STREET LIGHTING	116	\$ 325,000.00	\$ 10,531.90	\$ 335,531.90
PUBLIC PARKING	117	\$ 10,000.00	\$ 87,987.09	\$ 97,987.09
BUSINESS IMPROVEMENT DISTRICT	118	\$ -	\$ 17.16	\$ 17.16
TOR URBAN DEV CORP TRUST ACCT	119	\$ -	\$ -	\$ -
AMBULANCE DISTRICT	120	\$ -	\$ 1,712.80	\$ 1,712.80
WORKER'S COMPENSATION FUND	173	\$ 225,000.00	\$ 5,929.75	\$ 230,929.75
HOSPITALIZATION SELF INSURANCE	174	\$ -	\$ -	\$ -
RISK RETENTION FUND	175	\$ -	\$ 14,538.50	\$ 14,538.50
UNEMPLOYMENT INSURANCE FUND	176	\$ 2,000.00	\$ -	\$ 2,000.00
MAIN STREET REHAB PROGRAM	177	\$ -	\$ -	\$ -
REVOLVING LOAN PROGRAM	178	\$ -	\$ -	\$ -
RESIDENTIAL REHAB	179	\$ -	\$ -	\$ -
DISCRETIONARY/SMALL CITIES	180	\$ -	\$ -	\$ -
CDBG CONSORTIUM ACCOUNT	181	\$ -	\$ -	\$ -
URBAN DEVEL CORP WORKING	182	\$ -	\$ -	\$ -
RESTORE	184	\$ -	\$ -	\$ -
PUBLIC PARKING DEBT	381	\$ 20,000.00	\$ -	\$ 20,000.00
SEWER DISTRICT DEBT	382	\$ 35,000.00	\$ -	\$ 35,000.00
WATER DEBT	383	\$ 125,000.00	\$ -	\$ 125,000.00
GENERAL FUND DEBT SERVICE	384	\$ 125,000.00	\$ -	\$ 125,000.00
SCAVENGER WASTE DEBT	385	\$ 125,000.00	\$ -	\$ 125,000.00
COMM DEVEL AGENCY CAP PROJECT	405	\$ -	\$ -	\$ -
TOWN HALL CAPITAL PROJECTS	406	\$ -	\$ 72,054.96	\$ 72,054.96
EIGHT HUNDRED SERIES	408	\$ -	\$ -	\$ -
WATER IMPROVEMENT CAP PROJ	409	\$ -	\$ -	\$ -
NUTRITION CAPITAL IMPS	441	\$ -	\$ -	\$ -
CHIPS	451	\$ 400,000.00	\$ -	\$ 400,000.00
YOUTH SERVICES	452	\$ -	\$ 533.41	\$ 533.41
SENIORS HELPING SENIORS	453	\$ -	\$ 10.77	\$ 10.77
EISEP	454	\$ -	\$ -	\$ -
SCAVENGER WASTE CAP PROJ	470	\$ -	\$ -	\$ -
MUNICIPAL FUEL FUND	625	\$ 180,000.00	\$ 3,271.21	\$ 183,271.21
MUNICIPAL GARAGE	626	\$ 50,000.00	\$ 5,832.37	\$ 55,832.37
TRUST & AGENCY	735	\$ -	\$ 114,027.63	\$ 114,027.63
SPECIAL TRUST	736	\$ 350,000.00	\$ 113,500.00	\$ 463,500.00
CDA-CALVERTON	914	\$ 180,000.00	\$ 123,737.90	\$ 303,737.90
COMMUNITY DEVELOPMENT AGENCY	915	\$ -	\$ -	\$ -
JOINT SCAVENGER WASTE	918	\$ -	\$ 8,399.83	\$ 8,399.83
CENTRAL CLEARING ACCOUNT	999	\$ -	\$ -	\$ -
TOTALS		\$ 7,719,900.00	\$ 2,279,596.41	\$ 9,999,496.41

[illegible]

RESOLUTION # 251 ABSTRACT #9-99 FEBRUARY 25, 1999 (TBM 3/2/99)				
COUNCILMAN KWASNA offered the following Resolution which was seconded by				
COUNCILMAN LULL				
FUND NAME		CD-NONE	CHECKRUN TOTALS	GRAND TOTALS
GENERAL TOWN	001	\$ -	\$ 466,375.71	\$ 466,375.71
PARKING METER	002	\$ -	\$ -	\$ -
AMBULANCE	003	\$ -	\$ -	\$ -
POLICE ATHLETIC LEAGUE	004	\$ -	\$ -	\$ -
TEEN CENTER	005	\$ -	\$ -	\$ -
RECREATION PROGRAM	006	\$ -	\$ 837.95	\$ 837.95
SR NUTRITION SITE COUNCIL	007	\$ -	\$ -	\$ -
D.A.R.E. PROGRAM FUND	008	\$ -	\$ -	\$ -
CHILD CARE CENTER BUILDING FUND	009	\$ -	\$ -	\$ -
YOUTH COURT SCHOLARSHIP FUND	026	\$ -	\$ -	\$ -
SRS DAYCARE BUILDING FUND	027	\$ -	\$ 740.88	\$ 740.88
HIGHWAY	111	\$ -	\$ 64,796.38	\$ 64,796.38
WATER	112	\$ -	\$ 62,199.13	\$ 62,199.13
REPAIR & MAINTENANCE	113	\$ -	\$ -	\$ -
SEWER	114	\$ -	\$ 31,029.34	\$ 31,029.34
REFUSE & GARBAGE COLLECTION	115	\$ -	\$ 143,724.68	\$ 143,724.68
STREET LIGHTING	116	\$ -	\$ 9,212.34	\$ 9,212.34
PUBLIC PARKING	117	\$ -	\$ 3,873.80	\$ 3,873.80
BUSINESS IMPROVEMENT DISTRICT	118	\$ -	\$ 339.90	\$ 339.90
TOR URBAN DEV CORP TRUST ACCT	119	\$ -	\$ -	\$ -
AMBULANCE DISTRICT	120	\$ -	\$ 894.70	\$ 894.70
WORKER'S COMPENSATION FUND	173	\$ -	\$ 9,940.71	\$ 9,940.71
HOSPITALIZATION SELF INSURANCE	174	\$ -	\$ -	\$ -
RISK RETENTION FUND	175	\$ -	\$ 1,348.79	\$ 1,348.79
UNEMPLOYMENT INSURANCE FUND	176	\$ -	\$ -	\$ -
MAIN STREET REHAB PROGRAM	177	\$ -	\$ -	\$ -
REVOLVING LOAN PROGRAM	178	\$ -	\$ -	\$ -
RESIDENTIAL REHAB	179	\$ -	\$ 1,695.00	\$ 1,695.00
DISCRETIONARY/SMALL CITIES	180	\$ -	\$ -	\$ -
CDBG CONSORTIUM ACCOUNT	181	\$ -	\$ 830.60	\$ 830.60
URBAN DEVEL CORP WORKING	182	\$ -	\$ -	\$ -
RESTORE	184	\$ -	\$ -	\$ -
PUBLIC PARKING DEBT	381	\$ -	\$ -	\$ -
SEWER DISTRICT DEBT	382	\$ -	\$ -	\$ -
WATER DEBT	383	\$ -	\$ -	\$ -
GENERAL FUND DEBT SERVICE	384	\$ -	\$ -	\$ -
SCAVENGER WASTE DEBT	385	\$ -	\$ -	\$ -
COMM DEVEL AGENCY CAP PROJECT	405	\$ -	\$ -	\$ -
TOWN HALL CAPITAL PROJECTS	406	\$ -	\$ 15,427.50	\$ 15,427.50
EIGHT HUNDRED SERIES	408	\$ -	\$ -	\$ -
WATER IMPROVEMENT CAP PROJ	409	\$ -	\$ -	\$ -
NUTRITION CAPITAL IMPS	441	\$ -	\$ -	\$ -
CHIPS	451	\$ -	\$ 150.00	\$ 150.00
YOUTH SERVICES	452	\$ -	\$ 1,721.09	\$ 1,721.09
SENIORS HELPING SENIORS	453	\$ -	\$ 1,717.98	\$ 1,717.98
EISEP	454	\$ -	\$ 1,068.40	\$ 1,068.40
SCAVENGER WASTE CAP PROJ	470	\$ -	\$ -	\$ -
MUNICIPAL FUEL FUND	625	\$ -	\$ -	\$ -
MUNICIPAL GARAGE	626	\$ -	\$ 8,294.08	\$ 8,294.08
TRUST & AGENCY	735	\$ -	\$ 732,470.37	\$ 732,470.37
SPECIAL TRUST	736	\$ -	\$ -	\$ -
CDA-CALVERTON	914	\$ -	\$ 1,004.83	\$ 1,004.83
COMMUNITY DEVELOPMENT AGENCY	916	\$ -	\$ -	\$ -
JOINT SCAVENGER WASTE	918	\$ -	\$ 24,872.29	\$ 24,872.29
CENTRAL CLEARING ACCOUNT	999	\$ -	\$ -	\$ -
TOTALS		\$ -	\$ 1,584,668.35	\$ 1,584,668.35